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Title Page and Index to Volume 104

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Political Science Quarterly

Volume 104
Number 4
Winter 1989–90

Contents

The Dynamics of Presidential Reality Testing: Evidence from Two Vietnam Decisions
FRED I. GREENSTEIN
JOHN P. BURKE 557

Legislative Influence v. Presidential Dominance: Competing Models of Bureaucratic Control
WILLIAM F. WEST
JOSEPH COOPER 581

Sheltering the Homeless in New York City: Expansion in an Era of Government Contraction
DONNA WILSON KIRCHHEIMER 607

Nonprofit Organizations, Government, and the Welfare State
MICHAEL LIPSKY
STEVEN RATHGEB SMITH 625

Privatization in the United States: Theory and Practice
JEFFREY R. HENIG 649

Domestic Pressures and the Politics of Exit: Trends in Soviet Emigration Policy
LAURIE P. SALITAN 671

Book Reviews 689

Reference Books and Source Materials Received 735

Title Page and Index to Volume 104 737

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ELECTRONIC REPRODUCTION PROHIBITED

Book Reviews

Sagan, Moving Targets: Nuclear Strategy and National Security
RICHARD NED LEBOW 689

Stepan, ed., Democratizing Brazil: Problems of Transition and Consolidation
JORGE I. DOMÍNGUEZ 690

Berman, Lyndon Johnson's War JAMES J. BEST 692

Menon and **Nelson,** eds., Limits to Soviet Power PHILIP W. DYER 693

Berkowitz and **Goodman,** Strategic Intelligence for American National Security RAY S. CLINE 695

Khadduri, The Gulf War: The Origins and Implications of the Iran-Iraq Conflict CHARLES KUPCHAN 696

Sheehan, Arms Control: Theory and Practice MANFRED HALPERN 697

Jaster, The Defense of White Power: South African Foreign Policy under Pressure CRAWFORD YOUNG 698

Spourdalakis, The Rise of the Greek Socialist Party ADAMANTIA POLLIS 700

Ellis and **Wildavsky,** Dilemmas of Presidential Leadership from Washington through Lincoln ERWIN C. HARGROVE 702

Pomper, et al., The Election of 1988: Reports and Interpretations
JAMES L. SUNDQUIST 703

Spencer, The Carter Implosion: Jimmy Carter and the Amateur Style of Diplomacy ROBERT A. DIVINE 704

Jones, The Trusteeship Presidency: Jimmy Carter and the United States Congress GEORGE C. EDWARDS III 706

Penner and **Abramson,** Broken Purse Strings: Congressional Budgeting, 1974–88 LOUIS FISHER 707

Kamerman and **Kahn,** eds., Privatization and the Welfare State
JEFFREY R. HENIG 709

Eisinger, The Rise of the Entrepreneurial State: State and Local Economic Development Policy in the United States PAUL E. PETERSON 711

Cottingham and **Ellwood,** eds., Welfare Policy for the 1990s
SHEILA B. KAMERMAN 712

Fenno, The Making of a Senator: Dan Quayle STEVEN S. SMITH 714

Rozell, The Press and the Carter Presidency DORIS A. GRABER 715

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House, Jesse Jackson and the Politics of Charisma: The Rise and Fall of the PUSH/Excel Program — DIANNE M. PINDERHUGHES 717

Nagel, Constitutional Cultures: The Mentality and Consequences of Judicial Review — C. HERMAN PRITCHETT 718

Kirkpatrick, Legitimacy and Force: State Papers and Current Perspectives, 2 vols. — TOM J. FARER 720

Nelson, The Fourteenth Amendment: From Political Principle to Judicial Doctrine — FRANK J. MACCHIAROLA 722

Button, Blacks and Social Change: Impact of the Civil Rights Movement in Southern Communities — WILBUR C. RICH 723

Spitzer, The Presidential Veto: Touchstone of the American Presidency — RICHARD A. WATSON 725

Paul, Equity and Gender: The Comparable Worth Debate — SUZANNE DONOVAN 726

Rae, The Decline and Fall of the Liberal Republicans from 1952 to the Present — WILLIAM CROTTY 728

Joseph, Besieged Bedfellows: Israel and the Land of Apartheid — SHLOMO SLONIM 729

Mittelman, Out from Underdevelopment: Prospects for the Third World — PETER KOEHN 730

Beissinger, Scientific Management, Socialist Discipline, and Soviet Power — THOMAS F. REMINGTON 732

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From the Editor:

In this issue . . .

FRED I. GREENSTEIN and JOHN P. BURKE explore the preconditions for effective use of advice and information in presidential decision making. They compare and contrast the responses of the Eisenhower administration in 1954 and of the Johnson administration in 1965 to an incipient Communist victory in Vietnam.

WILLIAM F. WEST and JOSEPH COOPER critically examine prescriptive theories of congressional and presidential oversight of the bureaucracy. They argue that the emergent model of executive hegemony is based on faulty empirical premises concerning institutional performance and faulty normative premises concerning institutional roles.

DONNA WILSON KIRCHHEIMER assesses the proximate political factors that caused the New York City government to expand emergency shelters for homeless persons during 1978–1988, a period dominated by governmental retrenchment. She concludes that three factors were most influential: the rise of a new policy community about homelessness, the media agenda, and the response of state courts to a litigation campaign.

MICHAEL LIPSKY and STEVEN RATHGEB SMITH examine the growing use of nonprofit service organizations to deliver public services. They show that despite rhetoric to the contrary that stresses the value of voluntarism, these nonprofit organizations are heavily dependent on government funding and have little independent financial capacity to service broad populations.

JEFFREY R. HENIG analyzes the intellectual underpinnings of the privatization movement in the United States. He argues that privatization proponents misinterpret the implications of using market mechanisms—primarily by local governments—to provide limited public services. This misinterpretation is used to justify their broader, more ideological claims for cutting back the responsibilities of government as a whole.

LAURIE P. SALITAN examines the reasons for large-scale Soviet Jewish emigration in the 1970s and 1980s. She argues that a variety of domestic, rather than international, constraints are the primary determinants of Soviet emigration policy.

DEMETRIOS CARALEY

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The Dynamics of Presidential Reality Testing: Evidence from Two Vietnam Decisions

FRED I. GREENSTEIN
JOHN P. BURKE

Just as plagues and famines are a boon for the advancement of certain medical specialties, the unhappy course of United States relations with Vietnam provides an intellectual bonanza for the study of the performance of American political institutions. In what follows we draw on evidence about United States decision making on Vietnam to address an important component of institutional performance—namely the capacity of key protagonists in the executive branch, particularly presidents and their advisers, to engage in effective reality testing. We do so to advance, argue, and provide illustrative evidence for a series of propositions that challenge, qualify, or support a variety of influential claims in the now largely separate literatures on presidential advising and presidential leadership, and that suggest ways of thinking about the interaction of the collective properties of presidential advisory systems and the individual properties of presidents themselves.

We use the term reality testing not in any technical psychological sense, but rather to refer to issues bearing on the preconditions of well-informed, well-advised presidential decision making that arise in the literature on presidential advisory systems and on presidential leadership. Specifically, we ask of American decision making on Vietnam questions such as the following: How did presidents and their prin-

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cipal associates gather and process information? How did they identify and explore possible courses of action? What was the impact of presidential advisory arrangements on presidential use of advice and information? What was the impact of the president's personal makeup and leadership style?

With varying degrees of priority, Vietnam was on the agenda of American presidents from the mid-1940s through the successive French and American military involvements in Indochina to the American evacuation of Saigon in 1975. Whatever their policy positions, virtually every participant in the luxuriant public discourse on American policy toward Vietnam agrees that it ought to have been better advised and better informed. Seven presidents from Franklin D. Roosevelt to Gerald Ford addressed the question of what, if anything, to do about Vietnam. Each had a distinctive leadership style and advisory arrangement. Each received recommendations from inside and outside his administration that were assessed with varying degrees of rigor. Underlying the advocacy and recommendations were factual claims about the present and likely future state of affairs in Vietnam and elsewhere in the world. Information, like advice, was gathered and evaluated with differing degrees of thoroughness. The overwhelming bulk of once-classified documents bearing on the way advice and information were brought to bear on the Vietnam decisions of American presidencies is now declassified and available for investigation.

Much of what has been written over the years about presidents and the American presidency, whether by scholars, journalists, or former presidents and their associates, provides at least indirect insight into the problems of presidential reality testing. These matters are explicitly explored in the presidential advisory and leadership literatures. Influential scholarly works on advisory systems include Richard Tanner Johnson's effort to devise a typology of advisory systems that differentiates White House staffing patterns in terms of the way they advise and inform the president and Alexander George's systematic account of impediments to the effective use of advice and information in foreign policy making. Issues bearing on presidential advising also arise in the recurrent debate, much of it on the part of policy makers, about how best to organize and staff the modern presidency.[1] The literature on presidential leadership and particularly the adequacy of the instrumental performance of presidents includes work such as that of James David Barber, who seeks to plumb presidential character, and Richard E. Neustadt, who focuses on the more immediately observable phenomenon of presidential style.[2]

[1] Richard Tanner Johnson, *Managing the White House: An Intimate Study of the Presidency* (New York: Harper & Row, 1974). See also Alexander L. George, *Presidential Decisionmaking in Foreign Policy: The Effective Use of Advice and Information* (Boulder, Colo.: Westview Press, 1979); and Roger B. Porter, *Presidential Decision Making: The Economic Policy Board* (New York: Cambridge University Press, 1980).

[2] James David Barber, *The Presidential Character: Predicting Performance in the White House*, 3rd ed. (Englewood Cliffs, N.J.: Prentice Hall, 1985). Richard E. Neustadt, *Presidential Leadership: The Politics of Leadership*, 3rd ed. (New York: Wiley, 1980).

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Deriving our analytic lens from questions raised in the presidential advising and leadership literatures, we examined the voluminous primary source record now available and reconstructed, analyzed, and compared sequences of events in 1954 and again in 1965, when American presidents with strikingly different leadership styles and advisory teams faced the same challenge: American-backed forces in Vietnam were in imminent peril of being defeated by Communist forces. In each year, the president and his associates engaged in intense deliberations about what to do. Within each administration some voices were raised in favor of committing American military forces to Southeast Asia and some were opposed. The Eisenhower administration did not intervene. The Johnson administration did intervene, moving incrementally from 23,000 American advisory personnel in Vietnam in January 1965 to the announcement in July of an open-ended commitment of American forces that in three years was to reach a half million troops, spilling over into some of the most divisive domestic political conflict in the nation's history.[3]

Dwight Eisenhower's decision not to intervene has often been judged to have been wise. Lyndon Johnson's decision to intervene has widely been judged to have been unwise. The concern of the present analysis, however, is with the quality of decision *making*, not with the intrinsic merit of the two decisions. Thus our theoretical interest is not with whether Eisenhower was right not to intervene, but with how rigorously he addressed the options at his disposal—hawkish, as well as dovish. Likewise, our concern is not with the correctness of Johnson's decision to commit combat troops, but with the adequacy of his deliberations, including his attention to more severe interventionist options than those he accepted (such as bombing Hanoi and Haiphong), as well as to dovish options.

Our analysis does not require us to posit that the two presidents faced *identical* situations and that the cases furnish a controlled natural experiment. In fact, the burden of proof in 1954 in the immediate aftermath of the Korean War would have been on Eisenhower, if he chose to intervene, whereas in 1965, after a decade of American backing of South Vietnam, Johnson would have had to defend not intervening. What the cases do furnish is evidence of how two presidencies that diverged sharply in characteristics relevant to reality testing dealt with policy decisions that, while not identical, had a remarkable number of common elements.[4]

The most conspicuous difference between the Eisenhower and Johnson advi-

[3] For a fuller account of our study see John P. Burke and Fred I. Greenstein, *How Presidents Test Reality: Decisions on Vietnam, 1954 and 1965* (New York: Russell Sage Foundation, 1989). This article draws from the final two chapters of that work.

[4] The two episodes, of course, were in the same geographical area; the adversary was the same; in both instances the possibility of intervention posed questions about the American stake in Southeast Asia; and the appropriateness of using American forces in an adverse terrain and climate and at a great distance from the United States was a concern. The episodes also posed the respective administrations with questions about whether such a determined adversary could be defeated in association with an indigenous ally who had performed poorly in the past, whether western allies would support an American intervention, and how to deal with the issues presented by combat against a non-Caucasian enemy.

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sory systems was in the formal-informal dimension. Eisenhower introduced a variety of formal staff entities and roles that hitherto had been absent from the presidency—a White House chief of staff, a cabinet staff, and especially to the point for our study, a special assistant to the president for national security affairs, whose job it was to coordinate the national security process and new National Security Council (NSC) machinery. The latter consisted of a professional NSC staff and two NSC subgroups composed of key second-level officials in the national security committee—the Planning Board, which was responsible for clarifying policy disagreements within the administration and bringing them to the NSC for resolution, and the Operations Coordinating Board, which made plans for implementing the NSC's decisions. Eisenhower complemented his use of formal procedures with incessant informal consulting, especially in foreign affairs (the area of his greatest concern) with Secretary of State John Foster Dulles.

Johnson's advisory system was singularly devoid of formal elements, especially in the period in which his administration became committed to fight in Vietnam. The NSC support structure that had been instituted in the 1950s was abolished by Johnson's predecessor in the wake of debate about whether the NSC had become too bureaucratized. Johnson did not restore what John F. Kennedy removed. Moreover, Johnson convened the NSC infrequently, using it mainly for briefings. Instead he made ad hoc use of various consulting arrangements. In 1965 the chief informal forum for Johnson's deliberations on Vietnam was his Tuesday lunches—a small, somewhat shifting group of advisers, the most important of whom were Secretary of State Dean Rusk, Secretary of Defense Robert S. McNamara, and Special Assistant to the President for National Security Affairs McGeorge Bundy.

Not only Eisenhower and Johnson's advisory systems, but also their personal characteristics differed in theoretically interesting ways. Of the innumerable ways in which the former supreme commander and the former Senate majority leader differed, the most significant from the standpoint of reality testing was probably in the focus of their interests. Both men were recognized by close associates (if not by all contemporary observers) as individuals who had exceptional intellectual capacities. But they applied their powers to different aspects of reality. Although Eisenhower was more politically sophisticated than commonly assumed at the time of his presidency, his fundamental preoccupation was not with politics but with the content of policy, especially national security policy. Johnson's interests were the obverse of Eisenhower's. He was capable of mastering intricate aspects of a policy when such knowledge was needed to devise ways of bringing the policy to pass. But his interest in the detailed content of policies appeared to stop when they were enacted.[5] His central preoccupation was with the political side of the policy-making process.

[5] One of the journalist Alfred Steinberg's informants elicited this account from an old friend of LBJ's. "He once told me that when he had to know the contents of a bill or report, he could scan it and fix it in his mind so well that if you gave him a sentence from it, he could paraphrase the whole page and everything that followed. But once they'd finish the piece of work, even if it was only a

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Presidential Reality Testing: Seven Propositions

The first four of the propositions we derive from our examination of how the two presidents and administrations addressed the similar but not identical problems posed by incipient Communist victory in Vietnam bear on continuing issues about how to organize presidential advisory systems in ways that make them effective agents of reality testing; the fifth proposition bears on the the president's own role in reality testing; and the sixth and seventh focus on the interplay of presidential strengths and weaknesses and the characteristics of presidential advisory systems.

I. It is possible to illuminate the problem of presidential reality testing by identifying types of presidential advisory systems, but classifications quickly become inadequate.

The study of the nature and consequences of presidential advisory systems came to a head in the early 1970s, when Stanford Business School Professor Richard Tanner Johnson introduced his typology of presidential advisory systems and sought to use it to identify important similarities and differences in how the presidents from FDR through Richard Nixon engaged in consultations with their principal associates. Johnson concluded that there were three types of advisory systems, each with distinctive strengths and weaknesses.

FDR, Johnson asserted, used a *competitive* advisory system, an arrangement in which advisers' responsibilities overlap and the president encourages rivalries among them. This approach, Johnson suggests, encourages creativity on the part of advisers. It puts the president in the center of the flow of information, but puts great demands on his time and risks providing him with partial or biased information. Almost by definition, it fosters bureaucratic infighting.

The Eisenhower and Nixon White Houses, Johnson holds, exemplify *formalistic* advisory systems, in which advice and information are collected by a complex staff system and funneled up to the president. This approach, Johnson concludes, conserves the president's time and encourages analysis, but in screening the president's information, formal arrangements may inappropriately limit and distort the president's information and options.

Richard Tanner Johnson finds a happy mean in the Kennedy pattern of *collegial* advising, in which "the managerial thrust is toward building a team of colleagues who work together to staff out problems and generate solutions, which, ideally, fuse the strongest element of divergent points of view." A collegial system, Johnson argues, enhances the president's information but puts great demands on his time and "requires unusual interpersonal skills in dealing with subordinates."[6]

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week later, he wouldn't remember the contents or even the name of the report."Alfred Steinberg, *Sam Johnson's Boy: A Close-up of the President from Texas* (New York: Macmillan, 1968), 500.

[6] Johnson, *Managing the White House*, 7 and 238. Johnson is unable to fit Lyndon Johnson's advisory arrangements into his typology. He suggests that LBJ favored formal procedures, but that his personality tended to lead him to undermine them.

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The competitive-formalistic-collegial categorization fails to capture a number of aspects of the Eisenhower and Johnson advisory systems that were most significant for reality testing in 1954 and 1965 decision making. It is true that the Eisenhower advisory system had significant formal features and that Lyndon Johnson's had few formal elements other than the NSC itself, which he rarely convened for serious deliberations. But the formal-informal dichotomy, which distinguishes the formalistic from the collegial and competitive categories in Richard Tanner Johnson's scheme, does not capture a crucial characteristic of the Eisenhower advisory system—its lively informal track paralleled and periodically had a greater impact than its formal process.

The informal Eisenhower administration national security advisory process consisted primarily of incessant daily communications between Eisenhower and Dulles (face-to-face or by telephone, cable, or mail). Dulles's principal other counterpart was Joint Chiefs of Staff (JCS) Chairman Admiral Arthur Radford, who had far less one-to-one contact with the president than did the secretary of state. Special Assistant for National Security Robert Cutler was a sometime expediter of the informal advisory process. Secretary of Defense Charles E. Wilson was a minor player.

Eisenhower also used an advisory arrangement that was neither fully formalized nor wholly informal in connection with the 1954 decision making on Vietnam. He constituted an ad hoc formal advisory group, assigned Under Secretary of State Walter Bedell Smith (his wartime chief of staff) to head it, and instructed the Smith committee to identify "possible alternative lines of action," specifying "who does what and with which and to whom."[7] At the same time Eisenhower engaged in incessant informal communications, most centrally with Dulles, and made the most important decisions informally. It was at the informal level, for example, that Eisenhower developed the proposal promulgated by Dulles on 29 March 1954 for United Action—a multilateral coalition of nations opposed to a Communist victory in Indochina. The western effort to bring about United Action was a central part of the sequence of events that ensued in the Geneva settlement of July 1954 and the partition of Vietnam.

It is possible to repair the logic of the Richard Tanner Johnson typology so that it can encompass advisory systems like Eisenhower's that contain both formal and informal elements by using a four-way classification that takes account of whether presidents do or do not tend to use formal advisory arrangements and whether they do or do not tend to use informal means of consultation. But if one then extends the classification to take account of the process that underlies Richard Tanner Johnson's distinction between collegial and competitive systems—the presence or absence of antagonism among advisers—the resulting typology would have an unwieldy eight categories, almost as many as the number of presidencies since the formation in 1939 of the Executive Office of the President.

[7] Memorandum by C. D. Jackson, Special Assistant to the President, 18 January 1954, *Foreign Relations of the United States: 1952–1954* (hereafter *FRUS*), vol. 13, Indochina (Washington, D.C.: U.S. Government Printing Office (GPO), 1980), 982.

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In spite of the shortcomings of typologies, the insight behind the impulse to classify White House advisory systems remains crucial: how presidents and their advisers interact is of great consequence for the decisions they make and the extent to which those decisions are well-grounded in information and advice. There is much to be gained in the analytic endeavor that typologies are meant to advance—comparison of the performance of presidential advisory systems. In undertaking such comparisons, it can be heuristically fruitful to draw on classifications as a source of hypotheses. No single scheme, however, is likely to be sufficiently differentiated to address all of the issues that arise in the study of presidential advising, and much of what can be learned from comparisons is likely to become evident as a result of detailed dissections of particular advisory systems rather than through the use of typologies.

II. The formal organization of advising has underappreciated strengths.

Although neither Eisenhower nor Johnson relied exclusively on informal or formal patterns of advising, no formal system in the modern presidency was more explicitly and extensively articulated than Eisenhower's, whereas the formal component of Johnson's advising was minimal. What decision-making consequences resulted from the presence of formal advisory arrangements in the Eisenhower presidency? The prevailing expectation about formal advisory arrangements is that they diminish the quality of advice and information that reaches the president, even if they have the merit of economizing on his time and providing the means of implementing his decisions. Such systems are thought to distort information in the course of screening it, to narrow the range of options that come before the president for consideration, and to foster bureaucratic delay.[8] None of these malfunctions, however, was a distinctive consequence of the 1954 advisory system.

Contrary to these expectations about the effects of formal advisory systems, debate over different policy options was far more rigorous in the substantially formal Eisenhower advisory process than in the largely informal Johnson system. The 8 January 1954 NSC meeting illustrates the character of NSC debates on a controversial issue in the Eisenhower period. The meeting was convened shortly after the Viet Minh began to encircle the French fortress at Dienbienphu, and it became evident that there was an imminent threat of Communist victory in Indochina. It began with an intelligence report by CIA Director Allen Dulles and an oral summary of an NSC Planning Board paper, NSC 177, by Robert Cutler, special assistant to the president for national security.

Eisenhower provided the transition to general discussion by raising "a few basic questions," commenting on the need to get the French to come to grips with the colonial status of Indochina, the lack of resolve of the French nation to fight the war, and the absence among the non-Communist Vietnamese of a broader cause for which to fight the Viet Minh. Eisenhower exhibited both a willingness to entertain a wide range of options at the discussion stage and an extreme caution

[8] The criticisms are summarized by George, *Presidential Decisionmaking in Foreign Policy*, 165.

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about making decisions that could lock his administration into unpromising commitments. At one point he raised the possibility of sending "a little group of fine and adventurous pilots" in unmarked planes to bomb the Viet Minh emplacements around Dienbienphu, but he also emphatically stated that the option of committing American troops to Indochina, a proposal that had been outlined in NSC 177, was ill-conceived. If we introduced our own military forces into the conflict, Eisenhower bluntly stated, "the Vietnamese could be expected to transfer their hatred of the French to us." Speaking with what the minutes of the meeting characterize as "vehemence," he added, "I cannot tell you . . . how bitterly opposed I am to such a course of action. This war in Indochina would absorb our troops by divisions!"

During the discussion a number of participants advocated various steps the United States might take, ranging from immediate military aid to the French—a position held by Admiral Radford—to extreme caution lest the United States become involved in a costly and probably unwinnable land war in Asia—a view espoused by Treasury Secretary George Humphrey. The NSC members were outspoken, making it evident that they were comfortable in challenging the views of the President, often tenaciously, even though the president was vigorous in expressing his own opinions. At one point in the meeting Eisenhower stipulated that if "our people ever get into jungle fighting" they should be given a special type of fuse bomb appropriate for this kind of combat, adding "Let's hurry up and give them some." NSC Special Assistant Cutler immediately rejoined that there was nothing in NSC 177 authorizing the use of U. S. forces. The discussion then continued on the general merits of intervention, rather than shifting to a concern for tactical issues, such as the use of fuse bombs, that could have led policy makers to presume that the broader strategic question of intervention had been settled. Eisenhower concluded the meeting by deferring a decision and ordering the creation of a special committee to come up with a range of "concrete proposals and measures."[9]

The weekly NSC meetings held throughout the crisis were marked by vigorous give-and-take. That the Eisenhower NSC process had these characteristics does not, however, mean that formal advisory processes never have their expected shortcomings. The 1954 process was deliberately designed to prevent some of the outcomes that formal organizational processes are said to engender. It explicitly highlighted differences over policy. There was an explicitly understood expectation that Cutler's job was to see that differences were not papered over and that they did get fairly discussed. In short, the Eisenhower policy-making process was not an example of formal organization in general, but rather of a particular kind of formal organization designed to sharpen the awareness of alternative interpretations of the factual premises of policy and to insure discussion of a broad range of policy options. Furthermore, the presence in 1954 of parallel, informal sources of advice

[9] Memorandum of Discussion, National Security Council Meeting, 8 January 1954, *FRUS*, vol. 13, Indochina, 947–55.

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was an additional corrective to the malfunctions that are commonly thought to result from reliance on formal mechanisms.

Did the 1954 NSC process in fact lead to vigorous policy debate? The answer is clearly yes. Did the debate shape policy? Here the answer is much less clear. The decision not to intervene unilaterally was Eisenhower's, made on the basis of his own final assessment of the situation. The decision to proceed multilaterally stemmed from a number of informal and formal sources, but again was Eisenhower's own choice. Nevertheless, the vigorous debate and advocacy that occurred in the formal advisory process of the Eisenhower administration had two consequences. It enabled Eisenhower and his associates to "walk around"[10] the Indochina problem, regularly exploring diverse options. It also forced Eisenhower to defend his thinking and justify his decisions to a group of tough-minded, articulate associates.

A shortcoming or at least limitation of the formal advisory process of the Eisenhower administration is suggested by a dog that did not bark. The administration invested impressive analytic resources in planning its part in the sequence of events that led to partition of Vietnam in 1954. Not all of its policy decisions on Indochina received such careful consideration. Well before Geneva, the United States had begun to work with non-Communist Vietnamese, most notably Ngo Dinh Diem. The record suggests that little reflection went into the implications of supporting an individual whose rigidities and authoritarian ways made him (or so the Kennedy administration was to conclude) ill-suited for nation building. Indeed, there was little if any discussion about the political and economic steps necessary to the creation of an effective bulwark against future Communist advances. Another policy matter that the advisory system did not explore was whether the United States had any significant stake in Southeast Asia. In short, neither Eisenhower's personal analytic powers nor the caliber of his advisory process was a guarantee that his administration would fully employ its analytic skills on all matters pertinent to the making of effective policy.

III. The informal organization of advising has underappreciated weaknesses.

Just as the 1954 case suggests some of the possible strengths of formal advisory processes, the Johnson administration's decision making on Vietnam in 1965 points to shortcomings in predominantly informal advisory arrangements. The sequence of successive commitments made by Johnson in the first half of 1965 to defend South Vietnam through retaliatory bombing, sustained bombing, and the use of ground troops was singularly devoid of analysis by top decision makers.

In the first phase of the process that led to Johnson's 28 July announcement of an open-ended commitment to use American troops to defend South Vietnam (the period from late 1964 through the retaliation for the 7 February Communist attack on the American air base at Pleiku) Johnson and his associates were in

[10] The phrase is Robert Bowie's. Bowie had a close vantage on the process. As the State Department planning chief, he accompanied Dulles to the NSC meetings and served on the NSC Planning Board. Robert Bowie interview with Fred I. Greenstein, 17 October 1983.

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superficial agreement about the need to defend South Vietnam. But underlying that agreement were major disagreements about what to do. Ambassador to Vietnam Maxwell Taylor had requested authorization for air strikes but opposed the use of ground forces. The president had criticized the requests he received for the use of air power and had suggested ground operations by unconventional forces.[11] General William Westmoreland, the military commander in Saigon, had come up with an estimate that thirty-four battalions of conventional forces would be necessary to protect U.S. bases, a projection that Taylor described as "startling."[12] Secretary of State Rusk disagreed with McNamara and McGeorge Bundy about the need to use U. S. military power to force a change in Communist policy.[13]

What proved to be the first step in the American military commitment took place under crisis conditions, with no exploration of the differing views in Johnson's advisory circle, and no discussion of the logic and possible consequences of the action taken. When word reached Washington of the attack on Pleiku, Johnson convened the NSC. While the decision makers deliberated on what to do, an NSC aide periodically left the room to confer with McGeorge Bundy, who had been in Vietnam on an inspection trip and was speaking from General Westmoreland's situation room.

Johnson's later report implied that his advisers were virtually unanimous in agreeing that he was correct in calling a retaliatory air strike. "I went around the table, asking each person if he agreed with the decision," he recollected. "Everyone present expressed his concurrence with one exception. Senator Mike Mansfield[14] was opposed. . . . He strongly opposed the idea of retaliation, but he proposed no alternatives." Johnson remembered that this was his reply: "'We have kept our gun over the mantel and our shells in the cupboard for a long time now,' I said. 'And what was the result? They are killing our men while they sleep in the night. I can't ask our American soldiers out there to continue to fight with one hand tied behind their backs.'"[15]

Johnson's report fails to take account of basic differences among his associates about what to do in Vietnam and underestimates differences among the participants at the NSC meeting.[16] George Ball, who at the meeting stated, "We are all in ac-

[11] Cable from Lyndon Johnson to Taylor, 30 December 1964, NSC History, Deployment of Forces, July 1965, Johnson Library, Austin, Texas.

[12] Cables 2052 and 2055–58, Taylor to Secretary of State, 6 January 1965, NSC History, Deployment of Forces, Johnson Library.

[13] McGeorge Bundy summarized views of top administration officials for Johnson in a memorandum on 27 January 1965, National Security File, Memos to the President, Johnson Library.

[14] The majority leader had been invited to join Johnson and his aides. William Bundy recollected that Johnson's reply to Mansfield had the character of a sharp "gut reaction" and had a chilling effect on Mansfield, who never again took "this kind of blunt position in an open meeting." William Bundy, unpublished manuscript, chapter 22B, 6, Johnson Library.

[15] Lyndon B. Johnson, *The Vantage Point: Perspectives on the Presidency, 1965–1969* (New York: Holt, Rinehart & Winston, 1971), 125.

[16] One important Johnson aide missed the meeting fortuitously. Secretary of State Dean Rusk, who several days earlier had expressed opposition to military action, was in Florida recovering from influenza.

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cord that action must be taken," was later to say that he had not favored an air strike, but went along with the group in order not to destroy his effectiveness: "The demand for prompt retaliation was overwhelming and I realized that further frontal opposition would be not only futile but tactically unwise. I could gain nothing by antagonizing my colleagues . . . the President could no longer be deterred."[17]

Mansfield and Ball appear not to have been the only dissidents at the meeting. Former Treasury Secretary Douglas Dillon recollects that he expressed a different kind of reservation, evidently doing so at the time when the NSC staff member who kept partial notes on the meeting was out of the room speaking to McGeorge Bundy. Dillon recalls that "I was essentially what later became known as a hawk." He remembers that when Johnson called on him, he said, in essence, "I agree, Mr. President, with what is proposed, but only on the understanding that we are prepared to go full out, including the mining of Haiphong, if the North Vietnamese continue their aggression." Dillon adds:

> The President seemed a bit taken aback and annoyed. He replied immediately, in a rather offhand manner, that, of course, we were so prepared. He then went on to the next person. I made my statement knowing full well that both McNamara and Ball, representing State, were only in favor of using force to the minimum extent possible, and I wanted to make it clear that I felt we should not attack Vietnam at all unless we were prepared to go all the way. I was the only person to make such a reservation, but I am sure that, if asked, [CIA Chief John] McCone and [Chairman of the Joint Chiefs of Staff Earle] Wheeler would have been in full agreement with me.[18]

At no time in the meeting did Johnson raise questions about the broader aims the bombing was meant to accomplish and whether it would accomplish them. Instead, he focused on tactical military considerations, reporting intelligence estimates on the number of enemy troops and likely casualties the raids might be expected to inflict.

It cannot be argued that the 1965 decision makers had no felt need for forums in which systematic discussion of options could take place. McGeorge Bundy, for example, voiced this need in a 27 January memorandum to the president in which he summarized his view and that of McNamara that escalation was needed and Rusk's disagreement with them. Bundy urged that the choices Johnson faced should be "carefully studied" with "alternative programs . . . argued out before you."[19]

An NSC meeting convened on 1 February could have provided a forum where alternative programs were argued. But nothing of this sort occurred. Instead, the exchange was mainly about the orchestration rather than the substance of Bundy's impending trip to Saigon. Bundy's remark that "no great decisions are expected

[17] Summary Notes of the 545th NSC meeting, 6 February 1965, NSC Meetings File, Johnson Library; and George Ball, *The Past Has Another Pattern* (New York: Norton, 1982), 389–90.

[18] Douglas Dillon interview with Fred I. Greenstein, 26 February 1988; personal letter from Douglas Dillon to Fred I. Greenstein, 18 March 1988.

[19] McGeorge Bundy Memorandum to the President, 27 January 1965, NSC History, Deployment of Forces, Johnson Library.

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to result" is an indication that the highly consequential outcome of the trip was unanticipated. The lack of substantive discussion was especially apparent in Johnson's decision to send American ground forces to South Vietnam. In the 7 February statement announcing air strikes in retaliation for the Pleiku bombing, Johnson added that he had ordered deployment of a HAWK air defense battalion to South Vietnam, adding that "other reinforcements, in units and individuals, may follow."[20] There is no evidence that Johnson meant in the final phrase of his statement to anticipate the troop commitments that were quick to follow. None of his aides had anticipated that the United States would take part in a ground war, and Taylor had vehemently warned against such an eventuality. Rather, the land combat commitment came as an unintended consequence of the air war.

The bombing was barely underway when it became evident that American bases were now highly vulnerable to Viet Cong attack. General Westmoreland requested that two Marine battalion landing teams (3500 men) be assigned to guard the key base at Da Nang. Taylor acceded to the introduction of one battalion, but the JCS backed Westmoreland and two battalions were authorized by Johnson and landed at Da Nang in full battle regalia on 7 March. Taylor later reflected on how this extraordinarily consequential step had been taken without focused attention: "It was curious how hard it had been to get authority for the initiation of the air campaign against the North and how relatively easy to get the marines ashore. Yet I thought the latter a much more difficult decision and concurred in it reluctantly."[21] According to William Bundy, Johnson approved the JCS-Westmoreland request for the initial two battalions "with no work by any staffs outside the Pentagon. . . . The matter was presented to the President at a luncheon meeting and approved by him."[22]

In late March, Taylor was able to limit Westmoreland's request for two divisions (eighteen battalions) to just two more battalions. But the president also ordered deployment of 18,000 to 20,000 noncombat support troops and a change in the mission of the Marines to permit them to be used more actively against the enemy. The Marines were authorized to expand the area they patrolled around U.S. bases in stages—first to ten miles, then to thirty miles, and, as of 1 June to fifty miles. Shortly thereafter, Westmoreland was given authority to use U.S. combat troops in any way he deemed fit.[23]

At the first stage of the troop commitment process Taylor barraged Washington with angry cables opposing the land commitment. His view was that the use of American ground troops would be counterproductive and would produce a state of affairs in which the South Vietnamese simply made less effort to defend their

[20] Statement by the President, 7 February 1965, *Public Papers of the Presidents, Lyndon B. Johnson, 1965* (Washington, D.C.: GPO, 1966), 152.

[21] Maxwell D. Taylor, *Swords and Plowshares* (New York: Norton, 1972), 338.

[22] William Bundy, unpublished manuscript, chap. 22B, 31.

[23] William Conrad Gibbons, *The U.S. Government and the Vietnam War: Executive and Legislative Roles and Relationships, Part 3, 1965* (Princeton, N.J.: Princeton University Press, 1989), chap. 3.

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country and instead relied more on the Americans. There is no evidence that Johnson and his aides deliberated on the concerns Taylor raised. Finally, the administration dispatched a predominately hawkish group of its members, led by McNamara, to meet with Taylor in Honolulu. The ambassador reluctantly agreed to moving 82,000 U.S. military personnel to Vietnam, including thirteen combat battalions, by 1 June.

In a memorandum that is particularly illuminating because it was written virtually on the eve of the 28 July troop build-up announcement, McGeorge Bundy reflected on the discrepancy between the magnitude of the decisions the administration had taken over a short period and the limited extent to which it had assessed the premises of action. Reconstructing the recent changes the administration had made in policy bearing on the number and mission of American troops in Vietnam, Bundy pointed out to Johnson that "between the end of March and the beginning of July—a period of only three months—we moved from recommended force levels of 33,000 to recommended force levels of 180,000. We also moved from the mission of base security to the mission of active combat in whatever way seems wise to General Westmoreland. . . . [Yet] we have not yet had even a company-level engagement with Viet Cong forces which choose to stand their ground and fight."[24]

There is no way of saying whether Johnson and his associates would have taken each of the steps Bundy summarized had they been posed as explicit choices in a more formal context in which relevant information was mustered and the pros and cons of the available policy options were debated. The history of the 1954 decision making on Indochina, however, does show that presidents and their advisers can at least bind themselves to have such a discussion. In 1965, by contrast, decisions were "slipped into" incrementally. They were not the product of focused deliberations and clear-cut choices. As David Barrett has pointed out, members of Johnson's advisory circle held a broad spectrum of views, and these were expressed. Yet the Johnson advisory process was so disorderly that they floated around the president in a giant swirl and never were channeled into focused debate.[25]

IV. Multiple advocacy is not a panacea, but it may ameliorate defective advisory processes.

The Eisenhower advisory system had many of the attributes of what Alexander George has called for in his proposal for improving the quality of policy making by building "multiple advocacy" of policy alternatives into policy-making processes. George proposes that, time permitting, presidential aides should air their diverse views to the president under conditions that insure that each viewpoint is argued by proponents who have comparable resources (staff support, analytic competence, and policy expertise). For such a process to work, George asserts, it must

[24] Memorandum for the President, 24 July 1965, National Security File, Country File, Johnson Library.

[25] David M. Barrett, "The Mythology Surrounding Lyndon Johnson and the Decision to Escalate the Vietnam War," *Political Science Quarterly* 103 (Winter 1988–89): 637–64.

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be implemented by a "custodian manager," an aide who can act with authority but who scrupulously confines his duties to managing the process and does not compromise his role by also serving as an internal operator, substantive adviser, or outside spokesman of the administration. The duties of that individual include seeing to it that diverse policy positions are advanced with comparable persuasiveness and arranging that policy options lacking a spokesman in the administration are effectively presented.

George developed his construct of multiple advocacy in part from the example of the Eisenhower administration's 1954 decisions on Indochina. His proposal preceded the release of the documents on which our analysis is based; and as a consequence he incorrectly attributed Eisenhower's decision not to intervene to the opposition of congressional leaders at a 3 April meeting with Dulles and Radford, and to a meeting of Eisenhower with Army Chief of Staff Matthew Ridgway. Nevertheless, the declassified documents show that George was correct in sensing that the Eisenhower administration's deliberations in Indochina in 1954 were based on a multiple advocacy process, one in which Special Assistant for National Security Robert Cutler played the part of custodian manager.

The decision not to intervene itself, however, was evidently a paradigmatic example of the kind of lonely choice presidents make personally. On 1 April, just after convening a small group of NSC members to discuss the question of intervention, Eisenhower told a pair of newspaper executives with whom he was having lunch that he was considering ordering an air strike. But by the next morning, when he met with Dulles, Radford and other aides, he appears to have decided in the negative. The topic was the conference the aides were to have on 3 April with the congressional leaders. Dulles observed that he understood that the leaders' support was being sought to strengthen the hand of the French at the Geneva Conference, not for an air strike. Eisenhower let it be known (by not contradicting Dulles) that the secretary was correct. As far as can be determined from the log of Eisenhower's appointments and the record of his telephone conversations (neither of which was maintained for the hours after the close of official business in the 1950s), Eisenhower did not consult with his principal associates between his luncheon conversation on 1 April and his meeting the next morning.

Nevertheless, from early in January Eisenhower had been exposed to extensive argumentation for and against intervention. Apart from the exchange at NSC meetings and in less formal conferences, the principal policy makers were operating in a context in which their own advisers, as members of the NSC Planning Board and the committee chaired by Walter Bedell Smith, were intensively engaged in distilling the available information, stating options, and preparing recommendations. Moreover, because the entire NSC process was ongoing, even after making the decision not to intervene, Eisenhower was challenged to rethink, and defend it.[26]

[26] See, for example, the discussion that took place at the 6 April NSC meeting; Memorandum for Discussion of the 192nd meeting of the National Security Council, 6 April 1954, *FRUS*, vol. 13, 1261ff.

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Although it is difficult to pinpoint specific ways in which this rich context of multiple advocacy influenced the Eisenhower administration's actions in 1954, the record shows a decision-making process that put a high premium on vigorous, informed debate. Eisenhower's aides were articulate, knowledgeable, and consistently prepared to ventilate their views. They did not compromise fundamental policy differences without bringing them to the president's attention or otherwise insulate the president from information and advice that he might need in order to ground his decisions in disciplined deliberation. The advisers managed, in Eisenhower's presence, to state clearly and forcefully their disagreements with one another and with the president; they advanced their views tenaciously, but showed nevertheless every sign of being a team that could work together and rally around the president's eventual decisions.

The potential merits of the multiple advocacy proposal are more evident if, rather than searching for specific effects of the vigorous policy debate that occurred in 1954, we imagine what difference it might have made in 1965 had the Johnson administration instituted such a process. Of the many counterfactual scenarios that might be fashioned, a particularly interesting one can be constructed around the meeting of 2 July 1965.[27] The previous day Johnson had received papers in which four of his top advisers advanced sharply different recommendations about how to respond to the military's request for forty-four combat battalions. McGeorge Bundy's own interpretive cover memorandum labeled the respective positions of each adviser: "Bob McNamara's recommendation for an expanded military action"; "George Ball's compromise solution"; "my brother Bill's program offering a middle course for the next two months"; and "Dean Rusk's four page statement of the basic issues."[28] There was, however, no substantive discussion of the papers in the 2 July meeting.

Had a comparable instance occurred with a system like Eisenhower's in which participants were regularly faced with contrasting options, such papers would likely have generated a sharply joined debate. The Johnson advisory system, however, played into the conflict-avoiding, difference-splitting political style that had become ingrained in Johnson during his career on Capitol Hill. If, however, Johnson had inherited and maintained the procedures and organizational norms that in 1954 made debate over policy splits automatic, he would have found it difficult not to address explicitly the options before him and would have at the very least been confronted with projections of their likely consequences.

On 2 July, minutes before the meeting with his aides, Johnson telephoned Eisenhower for advice. One of his questions—"Do you really think we can beat the Viet Cong?"—to the former president and supreme commander (which Eisenhower's

[27] For a useful account of the logic of propositions about historical causality that are conditional on factually incorrect premises (for example, if Roosevelt had lived, there would have been no cold war), see Ernest Nagel's account of such experiments, *The Structure of Science: Problems in the Logic of Scientific Explanation* (New York: Harcourt, Brace and World, 1961), 588–592.

[28] McGeorge Bundy Memorandum to the President, 1 July 1965, NSC History, Deployment of Forces, Johnson Library.

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secretary, who took notes of the conversation, describes as sounding "plaintive") makes it evident that he needed the kind of information that a full examination of the competing recommendations would have generated. It also suggests that, although he may have moved a long way toward making up his mind, his position was not unalterable. A former aide stressed to us that Johnson was insistent on keeping his options open. "The rule with Johnson was that he hadn't made up his mind until he made up his mind."[29] The observation directs our attention to the personal role of the president in insuring or failing to insure an effective decision-making process.

V. In presidential reality testing, the buck stops in the Oval Office.

Presidents in the modern, post-Hoover era are surrounded by advisory staffs and other support capacities that were unknown to presidents before that time. But in a fundamental respect the presidency retains a property that has marked it since the beginning of the Republic—its highly personal quality. The president receives advice, but he is not required to take it. The Delphic phrases of the second article of the Constitution require interpretation. The final interpreter will be the president, whether he does so consciously or without much awareness that he is putting his imprint on the presidential role. Similarly, although the agenda-setting and decision-making components of the presidency are aided by a massive advisory staff, the president ultimately dictates or approves the major policies of his administration. Indeed, he creates his White House staff and other advisory arrangements, whether by design or inadvertence.

What do we learn about the individual characteristics that affect the quality of presidential decision making from our scrutiny of Eisenhower and Johnson in action? Two broad leadership capacities stand out: political skill in selling policies and mustering the support necessary to win their approval; and substantive ability to devise and analyze policies and the means of implementing them. Each of the presidents had a special gift for one of them—Johnson the political and Eisenhower the substantive.

The importance of a capacity and disposition on the part of the president to get at the analytic core of policies and substantively understand and explore their implications is illustrated by the political catastrophe that had befallen the Johnson administration by 1968, with a half-million American troops in Vietnam and no end to the war in sight. A better capacity for policy analysis might have forewarned Johnson that he was embarking on a course of action that was likely to go profoundly amiss. The value of the political sensitivity that underpinned Johnson's genius at wringing the utmost out of available political resources should not be underestimated. LBJ was far superior to Eisenhower in this respect. With an overall program that emphasized consolidating and rationalizing policies instituted in earlier administrations and bringing about incremental change, Eisenhower did not need Johnson's gift at launching new and controversial policies. He did not need that capacity in the 1954 Indochina crisis, as it unfolded. But if, for example, he

[29] William P. Bundy personal interview with Fred I. Greenstein, 8 March 1988.

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had taken a different course and judged intervention to be in the national interest, he would have found it of the utmost value to have the political skills in which Johnson excelled.[30]

Many more specific personal skills and characteristics relevant to reality testing were evident in the two episodes. Two of the most conspicuous were emotional equanimity and the capacity to communicate with and rally subordinates. Our evidence does not reach sufficiently deeply into the emotional levels of the presidential psyche to shed light on James David Barber's claim that Johnson's emotional insecurities deprived him of flexibility in assessing the appropriateness of a military commitment in Vietnam.[31] But it does show emotional manifestations on Johnson's part of a kind that are bound to interfere with a president's capacity to assess complex and demanding issues. These include "we-they" thinking, passionate identification with one's own camp, anger at the enemy, and hypervigilence—the panic-like response that blunts a decision maker's capacity to assess information and options.[32]

The importance of the capacity to communicate with and rally subordinates in order to foster effective decision making on the part of the entire presidential team is illustrated by Eisenhower's performance in 1954. We see in the way Eisenhower comported himself in meetings the advantage to a president of being able to communicate his views of the underlying issues to his associates with sufficient clarity for them to feel comfortable in challenging what he communicates to them. We also see the role of president as teacher, conveying general principles of action to his associates and fostering in them a willingness and capacity to work as a team. We see this directly and by contrast to Johnson, who valued and relied upon his associates, but appears to have had virtually no sense of staff as an institutional entity the president can shape and wield in order to enhance his capacity of effective policy choice.

VI. A president with a well-developed personal capacity to test reality may be able to get by without a well-developed advisory system.

The more the president is endowed with qualities bearing on some aspect of his role such as reality testing, the less his need for an effective supporting advisory and staff system, and vice versa. Eisenhower's impressive capacity to test policy realities and Johnson's to test political realities suggest counterfactuals that illustrate and clarify ways in which presidents may successfully test reality without depending upon staff support.

On more than one occasion in 1954, Eisenhower rejected recommendations that had interventionist implications. Although he surely considered his advisory system a well-devised one, he relied ultimately on his own judgment, as he did on 1 April

[30] On possible trade-offs between the quality of policies and their feasibility, see George, *Presidential Decisionmaking in Foreign Policy*, 2 and 42.

[31] Barber, *The Presidential Character*, 336–37. Also see Doris Kearns, *Lyndon Johnson and the American Dream* (New York: Harper & Row, 1976).

[32] See Burke and Greenstein, *How Presidents Test Reality*, 144–46, 187–91, and esp. 238–48.

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or early 2 April 1954, when he resolved not to order an immediate American military action to relieve the French fortress at Dienbienphu. In January 1954, Eisenhower exhibited his disposition to provide firm direction to his staff by insisting that a Special Annex to NSC 177, which discussed the possibility of intervention, be withdrawn. Again in April, he rejected recommendations for intervention by both the NSC Planning Board and Bedell Smith's special committee. But suppose that he had accepted the staff recommendations? Given the experience in the 1960s and 1970s of the later American intervention, it seems likely that the outcome would have been more damaging to American interests than was the partition that ensued from the 1954 episode.

The 1965 thought experiment is tenuous but plausible. Posit that the recommendation to make a military commitment of the magnitude of the one that Johnson had ordered on 28 July had come from a well-devised staff system. Suppose also that Johnson had rejected his advisers' recommendations, relying on his own political sense that if the war proved long and costly, the public would withdraw support from him. It is not hard (at least in the realm of thought experiments) to envision outcomes based on Johnson's political instincts in which the United States would have avoided the political disaster encountered by the Johnson administration in 1968, either by cutting its losses in Vietnam or by following the advice of those hawks who, like Eisenhower, held that "When you once appeal to force in an international situation involving military help for a nation, you have to go all out."[33] Such "what ifs?" and much else in the historical record on presidents and their advisers are reminders that it is inappropriate to counsel categorically that presidents should follow advisory recommendations, no matter how impressive their advisory systems. The advisers may be wrong and the presidents right.[34]

VII. But advisory systems do matter: a well-devised advisory system can mitigate the president's personal shortcomings, and a poorly-devised system can exacerbate them.

Although presidents can have better judgment than their advisers, it is likely that a well-devised advisory system will aid the president's process of choice and that a poorly devised one will lead him astray. Because presidents have different decision-making styles, no single advisory process can be recommended. But at the extreme, certain patterns of advising are likely to detract from effective presi-

[33] Eisenhower's statement in his 2 July telephone conversation with Johnson. Memorandum of Telephone Conversation, 2 July 1965, Post-Presidential Papers, Eisenhower Library, Abiline, Kansas.

[34] The Cuban missile crisis provides an instance in which a president may have privately resolved that he was reserving the option to overrule his advisers. Kennedy's aides urged him not to remove NATO missiles from Turkey in exchange for the removal of Soviet missiles from Cuba. Recent evidence suggests that he made a contingency plan to order such a trade if it became necessary to prevent a nuclear confrontation, but chose not to inform ExCom, the special NSC committee advising him on the crisis. See David A. Welch and James G. Blight, "The Eleventh Hour of the Cuban Missile Crisis: An Introduction to the ExCom Transcripts," *International Security* 12 (Winter 1987–88): 5–92.

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dential decision making, whereas others are likely to have a significant positive impact, no matter what the personal characteristics of the incumbent president.

The evidence of our cases is clearest on poorly-devised systems. The Johnson system was an organizational shambles. It was marked by the absence of regular meetings and routinized procedures, shifts in the membership of advisory and other decision-making groups, a reliance on out-of-channel advocacy, and other impediments to rigorous policy analysis. With even modest changes, Johnson might have had an advisory process that gave him a better capacity for making effective decisions. Johnson's advisory process also might have been adjusted in ways that reduced the tendency of advisers to dilute their recommendations. And sharper and broader presentation of evidence and options might have led Johnson to address his exceptional intellectual capacities to the substance of policy.[35]

The events connected with the "unmaking" of the Johnson presidency lie beyond the range of our study, but they warrant mention because they show that Johnson's advisory arrangements were not immutable. After examining Johnson's decisions in 1968 to bar further escalation, seek negotiations on Vietnam, and not run for reelection, Herbert Y. Schandler concluded that these decisions were influenced by changes in Johnson's advisory process. Schandler concludes that in the aftermath of the Communist Tet offensive

> the decision making process functioned properly for the first time. Objectives were matched to the resources required to achieve those objectives, and the strategy being followed was modified when it was seen that the costs, political and material, of attaining those results within a reasonable period of time would be more than the nation was willing to pay.

Central to the changed process, in Schandler's view, was a new secretary of defense, the Washington-wise Clark Clifford, who became convinced that "an increased American effort would not make the achievement of American objectives more likely or more rapid," and Johnson's "own deeply felt conviction that unity must be restored to the American nation."[36]

Johnson, whose pre-presidential experience gave him little background in foreign and national security policy, needed the best available advisory system. Did Eisenhower, who did have expert knowledge of such matters, need his advisory system? He thought so, and we have seen that it tested his decision not to intervene and provided him with a realistic estimate of the magnitude of military commitment that intervention would entail.

Our comparison of the advisory processes used by the two presidents yielded a particularly intriguing historically-informed counterfactual bearing on whether a different, more systematized process might have clarified Johnson's sense of his

[35] For further discussion of how different conceptions of the role of advising might have affected Vietnam decision making, see John P. Burke, "Responsibilities of Presidents and Advisors: A Theory and Case Study of Vietnam Decision Making," *Journal of Politics* 46 (August 1984): 818–44.

[36] Herbert Y. Schandler, *The Unmaking of a President: Lyndon Johnson and Vietnam* (Princeton, N.J.: Princeton University Press, 1977), 338–9.

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options in 1965. One striking aspect of Eisenhower's foreign policy-making process, especially in the early years of his presidency, was the periodic appointment by the president of staff studies, which to varying degrees informed policy making. The 1954 decisions on Indochina came only a few months after Eisenhower and his aides had deliberated at length on the results of a comprehensive, presidentially-commissioned study of what the nation's defense posture should be – Operation Solarium.[37] Three teams of highly qualified individuals were instructed to develop the full implications of three alternative strategic stances – rolling back the Soviet Union, rigidly drawing the line against further Soviet advances, and a more sophisticated variant of containment. The teams reported at length in the president's presence. The containment team (chaired by George Kennan) triumphed, with recommendations that later in the year were manifested in the administration's New Look national security policy, a stance that was antithetical to American participation in regional wars such as the Indochina conflict.

In 1965 there was a study that might have presented the president with similar policy advice, but which appears never to have made it through the Johnson policy process to the Oval Office. Between 26 July and 30 July 1965, the joint War Games Agency of the Joint Chiefs of Staff conducted Sigma II-65(U), a major war game simulation of the conflict underway in Vietnam. Proceeding with precisely the intelligence information then available about the existing conditions and forces in Southeast Asia and elsewhere and, therefore, factoring in the troop increase that Johnson ordered on 28 July, the agency constituted teams that simulated the Viet Cong, North and South Vietnam, the Soviet Union, China, and the United States. The participants were a cross section of the best informed and most expert middle-level officials in government.

The participants were asked to simulate the course of the Vietnam conflict over a thirteen-month period from 26 July 1965 to Labor Day 1966. The outcome was eerily prophetic of the actual course of events. The anti-Communist team "made no appreciable progress towards its objective of convincing the opposition to prevent a VC [Viet Cong] victory . . . the opposing teams continually reasserted that 'time is on our side,' reflecting the view that although the United States may bring about a military stalemate in the short run, in the long run it will be unable to sustain this position. The principal reason underlying this position seems to be the expectation by the VC, DRV [Communist North Vietnam], and Chinese teams of increasingly adverse US and world opinion." On 5 August, senior Johnson aides, including McGeorge Bundy, attended a briefing on the game, but left after a half hour "because of the overriding requirement to attend another meeting."[38] In 1954 it is unlikely that such a staff study would have gone unnoticed, if only because the participants in the game were essentially the same officials who served on the NSC Planning Board – the body that set the agenda for deliberations in Eisenhower's NSC.

[37] So named for the room in the White House in which plans for the study were hatched.

[38] *Sigma II-65(U): 26 July-5 August 1965: Final Report*, B2, Joint War Games agency, Joint Chiefs of Staff, NSF Agency file, JCS-War Games, Johnson Library.

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Conclusion

The literature on presidential advisory processes and that on presidential leadership have been largely independent of each other.[39] Studies of specific decision-making episodes, such as our examination of reality testing in 1954 and 1965 decision making on Vietnam, make it evident that it is inappropriate to examine Guildenstern and Rosencrantz without simultaneously taking account of the impact of Hamlet or vice versa. Advisers are among the most significant entities in the sociopolitical environment of the president, and he surely is the most important object to which advisers must direct their attention. Together, presidents and their advisers constitute a social-psychological aggregate that responds to and seeks to shape the larger context, which includes public opinion, the media, other domestic and international political actors, and more diffuse influences such as the social and economic conditions of the time.

Our sixth and seventh propositions suggest some of the interdependencies between presidents and advisers. The relative impact of presidents and their advisers on each other can, of course, only be ascertained empirically. The literature on American decision making on Vietnam in both 1954 and 1965 contains assertions that attribute the outcomes in each period mainly to the president and assertions that stress the impact of presidential advisers. There also are influential discussions (such as the "system worked" thesis of Leslie H. Gelb and Richard K. Betts) that seem to claim that the individual decision makers were simply responding to overwhelming pressures in their political environment.[40]

In our reconstruction of the 1954 and 1965 presidential decisions on Vietnam, we sought to inspect the historical data as rigorously as such evidence can permit, in order to assess the impact of the president, the advisers, and the larger political environment. In setting forth our conclusions we began by asking whether the environment decisively constrained both the presidents and their advisers. If this were the case, it would be unnecessary to examine the relationship between president and advisers. As we have said, it would have been politically costly to inject American forces in Vietnam in 1954, whereas the politically demanding course of action a decade later would have been extricating the United States (or devising a winning strategy). Nevertheless, in both years the political environment was sufficiently malleable to give the respective administrations leeway to take substantially different actions from the courses on which they settled.

What is the evidence for our claim? First, in each year the actors *thought* they had a choice. Since even attempts made in good faith to understand one's own

[39] For an important exception, see George's chapter on "Presidential Management Styles and Models" in *Presidential Decisionmaking in Foreign Policy*, 145–68.

[40] For a review of writings that make claims about the predominant influence of presidents, advisers, and the political environment in each of the three years, see Burke and Greenstein, *How Presidents Test Reality*, 18–20. The reference is to Leslie H. Gelb and Richard K. Betts, *The Irony of Vietnam: The System Worked* (Washington, D.C.: Brookings Institution, 1979).

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motivation in making decisions can be drastically off the mark,[41] it is important also to arrive at a more objective assessment of political feasibility. This can be obtained by systematically evaluating poll data, the positions taken by opinion leaders, congressional dynamics, and other factors and influences that could have constrained administrations or followed their leads.

In 1954 the fate of the French forces in Indochina was more a concern for public officials and other elites than for the general public. During the period from the initial encirclement of Dienbienphu to the Geneva settlement, Gallup asked about the desirability of American intervention in Indochina only once, on 17 May. A mere 22 percent of the public responded affirmatively to the question, "Would you approve or disapprove of sending United States' soldiers to take part in the fighting there?" The stipulation that only air and naval, but not ground forces, would be sent increased approval only to 36 percent. But by May 1954, Eisenhower had ruled out unilateral intervention. Instead, the administration was exploring the United Action alliance option, which would have made multilateral intervention feasible, though not inevitable. The state of public opinion appears not to have been a barrier to such action. While there were no published polls on whether the public would agree to multilateral intervention, the State Department had commissioned its own poll on the matter. The finding, which Dulles dispatched to the American observers at the Geneva conference, was that 69 percent of the public would approve of intervention if the United States were joined by the forces of allied nations in a collective effort to resist a Communist take-over.[42]

Because the debate within official circles over intervention in Indochina in 1954 never became sufficiently salient in the nation to arrest public attention, the most important features of the Eisenhower administration's political environment from the standpoint of Indochina policy were at the level of elites in the United States and elsewhere. The views expressed by editorial writers and columnists and on Capitol Hill about Indochina during the period from the encirclement of Dienbienphu to the Geneva Conference settlement in July were divided. On the one hand, many voices were raised against a new commitment of American troops to the Asian mainland; on the other hand, there were many demands that the United States do what was necessary to save Indochina. The responses of the congressional leaders in their 3 April meeting with Dulles and Radford, when many of them thought they were about to be asked to authorize American intervention, makes it clear that there would have been an outcry against *unilateral* American intervention. But this appears never to have been Eisenhower's aim.

Johnson was no more constrained by the political environment of 1965 than

[41] See Richard Nisbett and Timothy Decamp Wilson, "Telling More than We Know: Verbal Reports on Mental Processes," *Psychological Review* 80 (July 1977): 231–59.

[42] George H. Gallup, *The Gallup Poll: Public Opinion 1935–1971*, vol. 2 (New York: Random House, 1972), 1223. For the State Department's private poll, see Dulles's reports to the American observers in Geneva. Memorandum of the Secretary of State to the U.S. Delegation (Geneva), 24 May 1954, *FRUS, 1952–1954*, vol. 16, 911–12.

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Eisenhower had been by the 1954 environment. In contrast to Eisenhower, whose actions expanded his options in the course of the 1954 episode, Johnson's options became increasingly reduced in the period from the first expressions of concern by his associates about an imminent North Vietnamese defeat in January 1965 to the summer of that year. The public opinion polls showed that the bulk of citizens felt that South Vietnam should not be allowed to fall. Looked at carefully, however, the polls revealed that few citizens were at all attentive to the events in Southeast Asia and that opinion was uncrystallized and therefore likely to be responsive to the lead of public officials and other opinion leaders.

In January 1965, there were many signs in Congress and in the press that leaders outside of the executive branch were undecided about what should be done about Vietnam. The press wrote that Vietnam posed a dilemma that could not be easily resolved, rather than suggesting that American military power could decisively shape that nation's fate. Surveys of opinion in Congress revealed uncertainty and puzzlement about what if any action could or should be taken in response to Communist advances and the instability of the Saigon regime. If, for example, Johnson had decided it was time to disengage in Vietnam, he could have drawn on the authority of the Senate's most respected elder statesman in foreign affairs, Georgia Senator Richard Russell. In January, Russell gave an interview to a leading news weekly in which he asserted: "We made a terrible mistake getting involved in Vietnam. I don't know just how we can get out now, but the time is about at hand when we must re-evaluate our position."[43]

As the year went on, Johnson's political environment became increasingly intractable. The voices of increasingly strident minorities of hawks and doves began to be heard, escalating the costs of cutting losses and disengaging, or following the military's advice to intervene decisively. The most striking illustration of the reduced options at Johnson's disposal was the same Senator Russell who in January had urged finding a way out. By June, Russell informed Johnson and his aides that the national commitment now had been made and would have to be acted upon. Meanwhile, the steady increase in the number of American troops in Vietnam and the regular expansions of their mission developed a momentum of their own, making the kinds of disengagement that might have been feasible in January decreasingly feasible.

V. O. Key, Jr.'s notion of "opinion dikes" that "fix a range of discretion within which government can act" nicely captures the substantial but far-from-absolute freedom the political environment allowed the two administrations.[44] If the causal significance of the political context proves, at least in the cases we have examined, to have been far from deterministic, what can we say about the relationship between the president and the advisory system?

It is largely but not wholly circular. Except analytically, Eisenhower cannot easily

[43] "Foreign Relations: The New Isolationism," *Time*, 8 January 1965.

[44] V. O. Key, Jr., *Public Opinion and American Democracy* (New York: Knopf, 1961), 552–54.

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be disentangled from the advisory system that supplied his advice and information. Similarly, it is not easy to separate Johnson from his distinctive consulting practices. The counterpart of Eisenhower's efforts to avoid yes-men was his colleagues' comfortable assertiveness. Johnson's prickliness and dislike of opposition was paralleled by the reluctance many of his associates showed about expressing disagreement with him.

The president shapes the climate in which his advisers operate, and they shape his. There have been instances in the modern presidency in which advisers have reduced a president's capacity to act and blunted his capacity to test reality, sometimes without the president's awareness that this was occurring. Advisers also periodically have expanded presidents' capacities. This was the explicit expectation of Robert Cutler in 1954; in a more general sense, expanding presidential capacity is the very reason for the existence of the advisory staffs that distinguish the modern presidency from the unstaffed, pre-FDR presidency.

A president's strengths and weaknesses and those of his advisers are closely intertwined. A Kennedy would not have the patience to endure an Eisenhower-style advisory system. A Nixon would be overloaded by the interpersonal demands of a Kennedy-style advisory system. In adapting to the particular needs of particular presidents, advisers can enhance or detract from a president's strengths and compensate for or exacerbate his weaknesses.

It does not follow from the difficulty of assigning causality to the president or the advisory system that the two are an unbreakable chain. One thing that breaks the chain is the president's temporal priority: he establishes his advisory system, whether by design or default. And he can say no to advice. Still, the president's formal power to say no to advisers does not in itself establish his primacy. The president's *effective* influence is established in the specifics of the policy-making process. In the case of American policy making on Vietnam in 1954 and 1965, the most consequential decisions were the president's.

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Legislative Influence v. Presidential Dominance: Competing Models of Bureaucratic Control

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The continued delegation of policy-making authority to the bureaucracy has made the administrative process a primary arena for competition between the American president and Congress. The fact that the president has been winning consistently in recent years thus has important implications both for the character of policy making and for the distribution of power within our political system. This article is concerned with innovations in theory that have provided impetus and justification for this development. As an exercise in institutional analysis, it integrates normative considerations of good and constitutionally-sound policy making with an empirical assessment of executive and legislative competence. We argue that the emergent model of political oversight, which advocates centralized presidential control over agency policy making while prescribing a passive role for Congress, ignores key goals of our political system as well as important external influences and internal constraints that shape institutional behavior. A theory of oversight properly reconciled with the reality of agency policy making must allow for a direct congressional role in the administrative process as a counterpoise to executive power.

Oversight issues were once much simpler than they are today. As discussed in the first section, the traditional model of public administration yielded an elegant set of prescriptions for institutional control of the bureaucracy in which formal

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and functional conceptions of separation of powers neatly meshed. With the continued delegation of authority, however, the need for a new theory of oversight based on new premises has become increasingly apparent. The second section discusses the way in which the traditional paradigm's prescriptions for executive management and congressional monitoring have been adapted to the breakdown of the politics/administration dichotomy both in theory and in practice. The third section critically examines the empirical and normative foundations of the new model of political oversight, while the conclusion briefly outlines the challenges in institutional design presented by the need to accommodate both the president and Congress in the administrative process.

The Traditional Paradigm and its Demise

What is commonly referred to as the traditional model or paradigm of public administration dominated thinking about bureaucracy from the late 1800s well into the 1930s. So long as it remained viable, this perspective yielded clear prescriptions regarding oversight of the administrative process that jibed well with a formalistic conception of separation of powers. Notwithstanding the traditional model's appeal, however, its underlying premise has proved increasingly problematic with the expansion of the administrative state as a locus for policy-making authority.

The Traditional Model and Separation of Powers

The foundation of the traditional paradigm was the notion that politics and administration were two conceptually distinct and practically separable activities. Politics, which entailed value judgments, involved accommodating and responding to society's demands through the articulation of policy.[1] In contrast, administration was an instrumental process of implementing policy objectives. These premises neatly reconciled administrative discretion with the constitutional principles that policy be made by elected representatives and that the three essential activities of government be placed in separate hands. Indeed, the delegation of authority to administrative experts was often perceived to be salutary under the assumption that bureaucracy merely would serve as an efficient transmission belt in carrying out legislative intent.[2]

[1] It is doubtful that sophisticated observers ever embraced the politics/administration dichotomy in an absolute sense, but they did view it as a premise that was sufficiently viable to provide a consistent set of principles regarding the role of bureaucracy and its relationship to other branches of government. The work many regard as the zenith of the traditional orthodoxy is Luther Gulick and Lendall Urwick, eds., *Papers in the Science of Administration* (New York: Institute of Public Administration, 1937).

[2] See, for example, Luther Gulick, "Science, Values, and Public Administration" in Gulick and Urwick, *Papers*. Also see James M. Landis, *The Administrative Process* (New Haven, Conn.: Yale University Press, 1938).

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The traditional model also provided simple and straightforward prescriptions for oversight. Policy discretion was the province of Congress as it enacted statutes, while administration was a bureaucratic and an executive responsibility. As a result, though the president's role as chief executive was a prominent one, it was conceived of as objective and not political. It consisted of organizational structuring, recruitment, and supervision to ensure faithful policy implementation, as well as the rational coordination of activities within and among agencies.[3] Although intelligent scholars of the era recognized that the president's role in the administrative process would occasionally transcend the bounds of neutral competence, it was assumed that he would generally adopt a *managerial* posture as chief administrator. His political activities were identified primarily with his growing presence in the legislative process.

Unlike the president, who was expected to guide administrative decision making in the interest of efficiency, Congress's proper role under the traditional paradigm was confined to monitoring or supervision as opposed to direct control. This prescription stemmed from the model's clear differentiation between the legislative and administrative/executive processes. The essential purposes of congressional oversight were to secure the information needed for the enactment of new statutes or the amendment of existing ones, and to ensure that agencies (or the president) complied with legislative intent. In the latter regard, more legislation was viewed as the proper remedy for administrative failings. Although members of the traditional school from Woodrow Wilson on realized that Congress sometimes went beyond information gathering in performing oversight, its attempts to influence administrative decisions were frowned upon as a usurpation of executive prerogatives by a branch whose decentralized structure and political orientation made it inherently unsuited for the task of administrative management.[4]

Finally, the judiciary's role under the traditional paradigm was to guarantee the integrity of the politics/administration dichotomy and the accompanying standard of bureaucracy objectivity. Thus according to Richard Stewart, the "traditional model of administrative law" posited that statutes should define clear goals and that agency decision-making procedures should be structured in such a way as to ensure the "accurate, impartial, and rational application of legislative directives to given cases or classes of cases."[5] At the same time, however, the traditional

[3] Perhaps the best-known and most extensive articulation of this conception of the president's executive role is contained in Louis Brownlow, et al., *President's Committee on Administrative Management Report* (Washington, D.C.: U.S. Government Printing Office (GPO), 1937).

[4] These views are clearly reflected in the following quotation from Leonard White: "A legislature has legitimate functions to perform with regard to administration; these involve the power to legislate, to appropriate, and to supervise. It fixes the main lines of substantive policy and is entitled to see that administrative policy is in harmony with it; it establishes the volume and purposes of public expenditures and ensures their legality and propriety; it must be satisfied that internal administrative controls are operating to secure economy and efficiency; and it informs itself of the conditions of administration in view of remedial legislation. Further than that, it does not need, and is not qualified, to go." *Introduction to the Study of Public Administration* (New York: Macmillan, 1949), 592.

[5] Richard B. Stewart, "The Reformation of American Administrative Law," *Harvard Law Review* 88 (June 1975): 1674.

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model's faith in the virtues of bureaucratic expertise demanded that judicial review should be limited primarily to adjudication and to procedural issues as opposed to substantive policy considerations.

The Breakdown of the Politics/Administration Dichotomy

Despite the traditional model's appeal, its underlying premise proved increasingly unrealistic. Politics had always interpenetrated administration to some extent, of course, but the policy content of agency decisions became obvious with the New Deal, as the tremendous growth of government activity necessitated the creation of a much larger and more active bureaucracy. Students of government thus began to comment in the 1930s that statutes frequently left important conflicts among competing interests and values unresolved, and by the end of the next decade the politics/administration dichotomy had been thoroughly discredited.[6] Nor did the trend abate after the New Deal. Rather, conditions responsible for the breakdown of the traditional paradigm have intensified over the past two-and-a-half decades. This has been especially true in the area of regulation, where Congress has created a variety of new "social" regulatory agencies and has delegated to them broad powers to protect health, safety, the environment, and consumer rights.[7]

Beyond the growth of delegated authority, per se, the viability of the politics/administration dichotomy as a working premise for institutional analysis has been further eroded by fundamental changes in the way such authority is exercised. Regulatory agencies once relied on case-by-case adjudication as the predominant means of carrying out their mandates, a practice that fit well with the traditional paradigm's assumptions. Procedural elements of due process and the use of factual evidence and legal deductions as ostensibly the sole bases for decisions vested administration with the appearance of instrumental rationality. Furthermore, whatever policies were established through adjudication tended to come in small increments, and even then were often subordinate to and obscured by the disposition of the cases at hand.[8] In the late 1960s and early 1970s, however, administrators turned increasingly to the "quasi-legislative" device of rulemaking. Unlike adjudicatory orders, which pertain to named parties, rules apply to classes of in-

[6] Pendleton Herring, *Public Administration and the Public Interest* (New York: McGraw-Hill, 1936); Paul Appleby, *Policy and Administration* (University: University of Alabama Press, 1949); John M. Gaus, *Reflections on Public Administration* (University: University of Alabama Press, 1949).

[7] According to Murray Weidenbaum, the number of federal regulatory agencies increased from twenty-nine in 1960 to fifty-five in 1979. He counts forty-two major pieces of regulatory legislation during this same period. See *Business, Government, and the Public* (Englewood Cliffs, N.J.: Prentice-Hall, 1981).

[8] Colin S. Diver, "Policymaking Paradigms in Administrative Law," Harvard Law Review 95 (December 1981); William F. West, *Administrative Rulemaking: Politics and Processes* (Westport, Conn.: Greenwood Press, 1985). For a more general discussion of adjudicatory procedures as a means of legitimation see James O. Freedman, *Crisis and Legitimacy: The Administrative Process and American Government* (Cambridge, Eng.: Cambridge University Press, 1978).

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dividuals and actions (such as practices within an entire industry). Although substantive differences between rulemaking and adjudication have been exaggerated by some scholars, it is nonetheless true that the "rulemaking revolution" has undermined the politics/administration dichotomy by rendering agency policy making much more comprehensive and more controversial in many instances, and thus more difficult to ignore.[9]

New Premises for Oversight Theory

The choice of normative criteria to guide administrative theory has become more complicated with the realization that agencies make policy. The traditional paradigm's underlying values have remained relevant for key elements of the administrative process. Decisions under even the broadest mandates are still based to an extent on empirical and legal determinations, which arguably should be made as objectively and as competently as possible. As a result, it remains a legitimate purpose of oversight to ensure that agencies have correctly defined the boundaries of their policy-making discretion and that the logical and empirical premises behind their actions are sound. Properly focused executive and legislative oversight are appropriate to these ends. In addition, most would agree that ultimate responsibility for ensuring the integrity of the instrumental aspects of bureaucratic decision making should reside in a system of administrative law consisting of agency procedures and judicial review.

Yet it remains true that to approach administration as purely an instrumental process is unrealistic, especially in the area of rulemaking. Thus, a second function of oversight must be to control agencies' choices among competing social values within the range of possible objectives established by their enabling statutes. The courts have often intervened in this capacity as well, in part at least because of the practical difficulty of separating political considerations from instrumental ones in the context of actual agency decisions. These two sorts of issues are conceptually distinct, however, and should be treated as such for the purposes of prescriptive theory. As a point of departure, the following analysis is based on the premise that political oversight should reflect democratic political values, and the discussion is therefore limited to a consideration of the proper roles of the president and Congress in the administrative process.[10]

The Revitalization of Traditional Prescriptions

The breakdown of the politics/administration dichotomy has left a good deal of confusion in its wake regarding the purposes of executive and legislative efforts

[9] West, *Administrative Rulemaking*. Also see Antonin Scalia, "Back to Basics: Making Law Without Rules," *Regulation Magazine* 5 (July/August 1981).

[10] For an elaboration of this premise, see Richard J. Pierce, Jr., "The Role of Constitutional and Political Theory in Administrative Law," *Texas Law Review* 64 (November 1985).

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to control the bureaucracy. Understandably, perhaps, the justifications offered by the president and Congress for their oversight efforts, as well as academic and judicial treatments of the subject, have often clung to the conception of administration as an instrumental process.[11] Nevertheless, a new model concerned with oversight for the purpose of controlling administrative policy choices has begun to emerge. Somewhat ironically, it continues to embrace the prescriptions for presidential management and control and congressional monitoring, notwithstanding its rejection of the premises that originally sustained them. It does so through an institutional policy analysis that redefines presidential management in political terms and equates it with the public interest.

The revised conception of presidential supremacy within the administration process has already begun to have important institutional ramifications. There is a familiar and powerful imperative within our governmental system to reconcile structural arrangements with prevalent beliefs concerning sound policy practice, and then to legitimate such arrangements with plausible innovations in constitutional interpretation. In the first instance, recent presidents have been allowed to extend their control to the substance of individual agency rules, while congressional efforts to do the same have been thwarted. In the second instance, judges and legal scholars have struggled to justify these developments in terms of the Constitution's broad principles for allocating power among the branches of government.

Policy Arguments: The Integration of Representativeness and Efficacy

The new model of political oversight has been a natural response to conventional wisdom about the effects of delegated authority. The exercise of broad discretion by administrative agencies has obviously been difficult to reconcile with the tenets of representative democracy and separation of powers. Beyond this, it has frequently been identified as a source of malaise in the policy-making process. Delegated authority has been attacked from the left as a precondition for "subsystem" politics in which narrow but intense (typically business) interests have their way at the expense of the general public or the disadvantaged. Thus, for instance, the vacuum created by broad delegations plays a prominent role in Marver Bernsteins capture theory, as well as in Theodore Lowi's explanation of interest-group liberalism.[12] Bureaucratic discretion has also been attacked from the right as a license for unelected zealots to promulgate economically inefficient policies in the pursuit of

[11] The obvious utility of ignoring the political character of oversight is that to the extent it is convincing it renders efforts by the president and Congress to extend their control over the administrative process less controversial and objectionable. Similarly, it sidesteps difficult constitutional issues discussed in the following text regarding the legitimacy of delegated authority and how it should be controlled.

[12] Marver Bernstein, *Regulating Business by Independent Commissison* (Princeton, N.J.: Princeton University Press, 1955); Theordore J. Lowi, *The End of Liberalism* (New York: W. W. Norton, 1979).

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narrow program goals.[13] Different as these criticisms are, their common foundation is the equation of delegated authority with a fragmented policy-making system that is inherently unaccountable and uncoordinated. The popularity of the prescription for centralized presidential control over the administrative process is quite understandable given the pervasiveness of such indictments.

The preeminent values that inform the emergent model of political oversight are accountability and responsiveness to the nation as a whole, or at least to a national majority. The presidency is the institution considered most likely to serve these ends for two reasons. As the only official elected by a national constituency, the president has the motivation to act as a counter to the parochial tendencies of agencies. Of course, the will to control the bureaucracy in the public interest is of little consequence without the corresponding ability to do so. Equally as important, therefore, is the argument that executive staff agencies provide, or should provide, the president with the institutional capacity to oversee a very large, active, and diverse administrative state. James Sundquist attributes both these qualities to the president when he observes that

> the executive branch is equipped with a powerful Executive Office of the President that can offset parochial pressures and try to arrive at a concept of the broader national interest. To a degree, the President is compelled to try, because he is judged by the *whole* country on the basis of *general* conditions.[14]

Despite its political orientation, the revised model of executive oversight has not abandoned the goal of efficiency. Thus a crucial element of the argument for presidential control is that it not only serves the public interest by evaluating the merits of individual administrative decisions, but also by coordinating the actions of different agencies. In this latter regard, the traditional paradigm's appealing prescription for executive management has been adapted easily to conform with the premise of politically based oversight. Indeed, attributing to the president a political agenda in performing oversight addresses an important deficiency in the traditional paradigm, for efficient coordination cannot take place in the absence of some overarching purpose. Coordination is thus instrumental to the president's program, which in turn stems from or at least is endorsed by a national constituency.[15]

If considerations of institutional motivation and competence have been used in support of an administrative presidency, they have been used even more strongly to disparage direct congressional control over agency policy making. One common criticism is that Congress lacks the incentive to perform comprehensive oversight. The argument here is that members of Congress are motivated primarily to be

[13] For example, see Weidenbaum, *Business, Government*.

[14] James R. Sundquist, *The Decline and Resurgence of Congress* (Washington, D.C.: The Brookings Institution, 1981), 451.

[15] See for example, Christopher C. Demuth, "A Strong Beginning on Reform," *Regulation Magazine* 6 (January/February 1982); and Demuth, "A Strategy for Regulatory Reform," *Regulation Magazine* 8 (March/April 1984).

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reelected or otherwise to further their political careers, and that other sorts of activities simply offer more visibility or greater opportunities for building constituent support.[16] A related assertion is that the legislature lacks the resources needed for effective oversight. As Richard Pierce notes in a post mortem on the legislative veto:

> The same set of powerful institutional constraints that forced Congress to delegate a high proportion of its policy-making power to agencies—a crowded agenda, technically complicated and politically complicated issues, and competing demands for constituent service—also inhibited any attempt to engage in systematic and intensive review of agency policy decisions. In short, the putatively systematic congressional review that the legislative veto power implies was chimerical; any such review was inevitably sporadic and haphazard.[17]

The strongest criticism of legislative oversight is that it is inevitably incoherent due to the fragmentation of authority inherent in the Congress's decentralized structure. Oversight is of necessity performed in good measure by committees and subcommittees, which critics claim to be unrepresentative of the whole. Again to quote Sundquist:

> . . . whether parochialism is a dominant or secondary characteristic of the Congress, it is one of its inbred and ineradicable traits. As members with important district interests seek membership on the committees that are in a position to advance those interests, then whole committees become special pleaders for segmental interests.[18]

The parochialism of committees is alleged to ensure that oversight will not promote centralized coordination pursuant to broad majoritarian objectives. A further contention is that committees' policy orientations tend to coincide with or complement those of the agencies they supervise and perhaps those of the special interests served by the agencies as well. As a result, some critics of legislative oversight claim that it reinforces the mutation of policy to conform with subsystem goals.[19]

The new model of oversight thus seeks to integrate managerial efficiency with political responsiveness and accountability. It would be an exaggeration to claim consensual support for its prescriptions. Executive oversight has certainly had its detractors in recent years and legislative oversight its defenders. In addition, dis-

[16] Several political scientists have argued that self-interest naturally drives members of Congress to emphasize legislative activity and narrow constituent service at the expense of programmatic oversight and other activites whose political pay-offs are relatively low. See, for example, David R. Mayhew, *Congress: The Electoral Connection* (New Haven, Conn.: Yale University Press, 1974); Morris P. Fiorina, *Congress: Keystone of the Washington Establishment* (New Haven, Conn.: Yale University Press, 1977).

[17] Pierce, "Role of Constitutional and Political Theory," 482–83.

[18] Sundquist, *Decline and Resurgence,* 451.

[19] William P. Schaefer and James Thurber, "The Legislative Veto and the Policy Subsystems: Its Impact on Congressional Oversight," paper presented at the annual meeting of the Southern Political Science Association, Atlanta, Georgia, 1980.

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cussions have often focused on the merits of particular oversight devices, and advocacy has often been qualified rather than absolute. Nevertheless, scholars have shown a widespread preference for presidential rather than congressional oversight on policy grounds, the general contours of which are clearly identifiable. These preferences and the beliefs about delegated authority that sustain them have spread well beyond the academic community, moreover, and have begun to have important practical effects on the structure of American government.

The Institutionalization of Executive Hegemony

As is frequently the case with institutional change, structural developments in the area of oversight have reflected dominant trends in thinking about sound policy. The president and Congress have naturally sought to extend their influence over the administrative process in recent years, given the continued shift of policy-making discretion to the bureaucracy. Yet while the expansion of executive oversight has thus far been successful, the most important legislative initiatives have been nullified. It is the judiciary, of course, that serves as the final arbiter of institutional conflict. As Harold Bruff notes, "Recent decisions have generally promoted a unitary executive branch under presidential direction, as opposed to a more fragmented executive that makes many decisions free of presidential participation."[20]

The enhancement of executive oversight has taken place in part through heightened reliance on traditional tools. Recent presidents have made increased use of their powers in budgeting, spending, reorganization, and legislative clearance, for example.[21] Perhaps the most important initiatives in this regard have occurred in the personnel process. As G. Calvin MacKenzie observes, presidential efforts to recruit competent and ideologically compatible executives have become increasingly rigorous and institutionalized. This, combined with the addition of new layers of political appointees atop the federal bureaucracy in the past two decades, has added significantly to the ability of presidents to set the political tone for the administrative process.[22]

If traditional means of oversight have furthered executive influence over policy implementation, their impact has not been sufficient to offset the continued growth of bureaucratic discretion. The inherent weakness of these instruments of presidential control is that their reach is confined to the general contours of agency policy, as opposed to the substance of particular actions. In response, therefore, recent presidents have adopted new means of exercising direct and systematic re-

[20] Harold H. Bruff, "On the Constitutional Status of the Administrative Agencies," *American University Law Review* 36 (Winter 1987): 496.

[21] Sundquist, *Decline and Resurgence*. Also see Richard Nathan, *The Administrative Presidency* (New York: John Wiley, 1983).

[22] G. Calvin MacKenzie, "The Paradox of Presidential Personnel Management" in H. Heclo and L. Salamon, eds., *The Illusion of Presidential Government* (Boulder, Colo.: Westview Press, 1981); James P. Pfiffner, "Political Appointees and Career Executives: The Democracy-Bureaucracy Nexus in the Third Century," *Public Administration Review* 47 (January/February 1987).

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view of individual agency decisions. Not surprisingly, innovations in executive oversight have focused on rulemaking, given its legislative character and its increased prominence as a means of statutory implementation.

Each president since Richard Nixon has instituted a formal clearance program for agency regulations. The latest and most forceful is the system of review created by Ronald Reagan's Executive Order (EO) 12291, issued in February 1981.[23] Under its provisions, executive branch agencies are required to submit all proposed and final rules to the Office of Management and Budget (OMB). Agencies are also required to justify their regulations through cost-benefit analyses, which serve as the ostensible bases for OMB review. Fully-blown, "formal" analyses are required for regulations having a projected economic impact of $100 million per year, and presumably less rigorous analyses are required for other rules.[24] These provisions were substantially augmented in January 1985 when E0 12498 required agencies to submit yearly agenda or "calendars" of all current and anticipated policy actions to OMB for review.[25]

OMB does not have legal authority to shape administrative policy under the terms of E0 12291, and agencies have occasionally issued regulations over its protests. Moreover, review has been far from comprehensive. Nevertheless, the provisions of the Reagan order have provided a systematic way of identifying those administrative policies most offensive to the administration and its key constituents, and OMB's status and varied sources of leverage have given it substantial de facto power to delay, alter, and even block rules.[26] In addition, although its impact has yet to receive extensive analysis, many feel that the regulatory calendar requirement has potentially great significance as a means of alerting OMB to policies that conflict with administration objectives at early stages in their development, before the accumulation of substantial sunk costs and political commitments.

Efforts by Congress to strengthen its presence in the administrative process have paralleled those of the president. Two general ingredients of this trend have been a near trebling of committee staff and a sizeable increase in the frequency of ovesight

[23] 46 *Federal Register* 131937. For a discussion of earlier review mechanisms see Paul R. Verkuil, "Jawboning Administrative Agencies: Ex Parte Contacts by the White House," *Columbia Law Review* 80 (June 1980); Michael S. Baram, "Cost-Benefit Analysis: An Inadequate Basis for Health, Safety, and Environmental Regulatory Decision-Making," *Ecology Law Quarterly* 8 (1980).

[24] The former are referred to as regulatory impact analyses. They are to include a detailed analysis of the incidence and magnitude of a rule's positive and negative effects, as well as a similar examination of alternative courses of action. As subsequently specified by OMB, projected costs and benefits are to be quantified "where possible."

[25] 50 *Federal Register* 1036.

[26] Joseph Cooper and William F. West "Presidential Power and Republican Government: The Theory and Practice of OMB Review of Agency Rules," *Journal of Politics* (forthcoming); West and Cooper, "The Rise of Administrative Clearance" in G. Edwards, S. Schull, and N. Thomas, eds., *The Presidency and Public Policy Making* (Pittsburgh: University of Pittsburgh Press, 1985); George C. Eads and Michael Fix, *Relief or Reform: Reagan's Regulatory Dilemma* (Washington, D.C.: Urban Institute Press, 1984); Erik D. Olson, "The Quiet Shift of Power: OMB Supervision of EPA Rulemaking Under Executive Order 12291," *Virginia Journal of Natural Resources Law* 4 (Fall 1984).

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hearings since 1970.[27] Among the specific means Congress has employed to control the bureaucracy has been its limitation of the time periods of legislative authorizations. Congress has also made greater use of its prerogatives in the appropriations process by requiring some agencies to submit budget requests to it as well as to OMB, and by creating new budget committees. Finally, it has subjected presidential appointees to more exacting scrutiny in recent years, and its evaluations of agency programs have become increasingly rigorous.[28] Like the president, however, Congress has found traditional mechanisms to be crude, and it has searched for ways to extend its oversight to individual agency decisions. But unlike the president, Congress has been blocked in its efforts to exert direct substantive control over administrative policy making.

Though sporadic in application, the legislative veto served Congress in much the same way that executive clearance requirements have aided recent presidents. These devices established mandatory waiting periods during which Congress or an element thereof could disapprove agency or presidential actions pursuant to particular statutory delegations of authority. Although the legislative veto had existed since the 1930s, when it was applied to presidential reorganization plans, its use grew dramatically during the 1970s. By 1983, for instance, well over half of the statutes containing vetoes and over two-thirds of all individual veto provisions had been enacted since 1969. In addition, it was not until the 1970s that the veto was extended from presidential actions and agency implementation decisions to administrative rulemaking, where it was applied in a variety of controversial and highly salient policy areas such as safety regulation by the Consumer Products Safety Commission, energy pricing by the Federal Energy Regulatory Commission, and the regulation of commercial practices by the Federal Trade Commission.[29]

This trend toward reliance on the veto would have continued if not for judicial intervention. In 1982 the Senate passed unanimously a regulatory reform bill that would have applied a two-house veto to all regulations promulgated by executive and independent agencies.[30] In 1983, however, the Supreme Court's landmark *Chadha* decision declared most forms of the veto unconstitutional. Chief Justice Warren Burger's sweeping majority opinion held that, because the exercise of vetoes

[27] For the expansion of committee staff see Norman J. Ornstein, et al., *Vital Statistics on Congress*, 1984–1985 edition (Washington, D.C.: American Enterprise Institute for Public Policy Research, 1984). For the growth of oversight hearings see Joel D. Aberbach, "Changes in Congressional Oversight," *American Behavioral Scientist* 22 (May/June 1979).

[28] Sundquist, *Decline and Resurgence of Congress;* Louis Fisher, *The Politics of Shared Power* (Washington, D.C.: Congressional Quarterly Press, 1981); Allen Schick, "Congress and the Details of Administration" in Frederick Lane, ed., *Current Issues in Public Administration* (New York: St. Martin's Press, 1982).

[29] Clark F. Norton, *Congressional Review, Deferral and Disapproval of Executive Actions: A Summary and Inventory of Statutory Authority*, report 76-88 G (Washington, D.C.: Congressional Research Service, 1976), as supplemented by his reports 78-117 Gov. 25 May 1978, 79-47 Gov. 12 February 1979, and 82-26 Gov. 12 February 1982.

[30] S. 1080, passed 14 March 1982.

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had legislative effects, forms that failed to provide for the president's signature and the approval of both houses were unconstitutional.[31]

In conjunction with the expansion of presidential control, *Chadha* has served to alter significantly the balance between executive and legislative power in the administrative process by consigning the most popular and efficient forms of the veto to oblivion. This effect has been reinforced by other Supreme Court decisions concerning the potential for congressional influence over administration through personnel actions. For example, *Buckley v. Valeo* (1976) forbade Congress to appoint members of the Federal Election Commission, and *Bowsher v. Synar* (1986) ruled that Congress could not delegate authority for implementing the provisions of the Graham-Rudman Bill to the comptroller general, since he was removable only through a joint resolution.[32] Both decisions were based on the premise that because the selection and retention of personnel was an important instrument of control, Congress was interfering with an executive prerogative. Some judges and respected legal scholars have extended this reasoning to contend that the courts should give serious attention to the constitutionality of independent regulatory agencies. They have often explicitly followed the lines of the new model of oversight in arguing for an extension of the president's removal power to these bodies, thus basing their appeals for centralized political control on the premise that administrative regulation cannot be a neutral, expert process.[33]

Justifying the New Model of Political Oversight

Recent court cases involving Congress's permissible role in the administrative process illustrate the fact that if structural developments are often driven by policy considerations, they must also be legitimized on the basis of broad constitutional principles. Two interrelated considerations are relevant in this regard. As discussed later, the abstract policy goals that institutional arrangements are designed to achieve must be reconciled with constitutional objectives. In a closely-related but more immediate, mechanical sense, institutional devices themselves must be reconciled with the Constitution's prescriptions regarding the proper roles of the three branches of government. Whereas the neat fit between the traditional model of oversight and separation of powers provided an elegant response to these latter needs, the task of reconciling the new paradigm with constitutional principles has proven much more difficult.

The courts have most often sought to resolve jurisdictional issues concerning the administrative process through separation-of-powers analyses in which agency actions have been defined as legislative, executive, or judicial and then parceled out accordingly. Given the close resemblance between activities such as rulemaking and legislation, this approach has entailed a formalistic rather than a functional

[31] *Immigration and Naturalization Service v. Chadha*, 103 S. Ct. 2764 (1983).
[32] *Buckley v. Valeo*, 424 U.S. 1 (1976); *Bowsher v. Synar*, 106 S. Ct. 3181 (1986).
[33] Bruff, "Constitutional Status of Administrative Agencies."

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approach in order to sustain the new model's prescription for presidential control over administrative policy. As Bruff notes, the courts "adopted a formal definition of the boundary between legislation and execution, and forbade Congress to control the latter through nonstatutory means" in seeking to legitimate the new model of presidential management.[34] The basis for this prescription is the assumption that discretion once delegated automatically becomes "executive." *Chadha* illustrates this position well. In a frequently-cited footnote, the Court argues that "although some agency action—rulemaking, for example—may resemble lawmaking, ... the President's power to see that the laws are faithfully executed refutes the idea that he is to be a lawmaker." As a conceptual distinction, it adds that "the Executive's administration of the laws" is not legislative because "his administrative activity cannot reach beyond the limits of the statute that created it."[35]

Although it has offered clear and expedient presciptions, the use of separation of powers to justify presidential hegemony within the administrative process has proved intellectually unsatisfying to many. The heart of the problem is that the concept itself becomes extremely arbitrary without a functional basis for differentiating institutional roles. Given that agency rulemaking often involves balancing important social interests subject to few if any substantive constraints, for example, the formalistic argument that all power automatically becomes executive once delegated becomes an appeal to blind faith in which governmental activities are defined according to who performs them. At the same time, however, the logical alternative offered by a functional separation-of-powers analysis—that of excluding the president entirely from the control of administrative policy making—is a solution that few would endorse. The internal contradiction endemic to such an approach is illustrated by the *Chadha* majority's characterization of presidential control as "executive" and congressional control over the same activities through the veto as "legislative" (notwithstanding the fact that Congress, too, could not "reach beyond the limits of the statute that created it").

The inadequacy of the rationales expressed in *Chadha* and other recent cases defining legislative and executive prerogatives is ultimately attributable to the fact that powers in American government are not separate but intermixed and inevitably shared.[36] The Framers most probably intended this to be the case in the area of administration, and it has been true as a matter of practice since the first days of the Republic. Although scholars have been surprisingly slow to develop legal theories based on the principle of shared powers, "checks and balances" has gained

[34] Ibid., 501.

[35] 103 S. Ct. at 2784, 2785 n. 16.

[36] Joseph Cooper, "Congress and the Legislative Veto: Choices since the *Chadha* Decision" in Robert E. Hunter, Wayne L. Berman, and John F. Kennedy, eds., *Making Government Work: From White House to Congress* (Boulder, Colo.: Westview Press, 1981). For a more general discussion of shared powers see Louis Fisher, *The Constitution Between Friends* (New York: St. Martin's Press, 1978). Also see Fisher, "The Administrative World of *Chadha* and *Bowsher*," *Public Administration Review* 47 (May/June 1978).

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currency in recent years as the only logical alternative paradigm for analyzing the consitutional dimensions of congressional and presidential control. As applied by Peter Strauss, its leading practitioner, this approach has provided a complement to the policy arguments discussed above by adding constitutional substance to the concept of a powerful administrative presidency.[37]

Strauss's balance-of-power analysis involves several determinations. The first task is to define the constitutional core functions performed by Congress, the president, and the courts, as well as the functional nature of the particular administrative action subject to oversight. One must then examine the oversight mechanism in question to determine how it affects the abilities of each of the three constitutional branches to perform their prescribed missions. As he notes:

> Each . . . agency is to some extent "independent" of each of the named branches and to some extent in relationship with each. The continued achievement of the intended balance and interaction among the three named actors at the top of government, with each continuing to have effective responsibility for its unique core function, depends on the existence of relationships between each of these actors and each agency within which that function can find voice.[38]

Strauss uses this perspective to endorse a strong role for the president in controlling or influencing agency rulemaking. The crux of his argument is a constitutional definition of the executive function that is similar to the prescription offered by modern-day advocates of executive control on policy grounds. Drawing on the debates of the convention, he maintains that the Framers' intent was to establish a strong chief executive who could respond to exigencies unforeseen at the time statutes were passed and who could provide centralized, coordinative control over government's actions. Thus he argues explicitly that the Framers anticipated more than a managerial presidency in the traditional sense. Noting Edward Corwin's uncertainty on the matter, Strauss does not specify whether it was intended that the president directly control agency discretion, or whether he should be confined to the art of persuasion as aided by the various sanctions at his disposal in other spheres. At the very least, however, he argues that the president's authority to require "opinions in writing" permits direct and systematic executive scrutiny of proposed agency rules.[39]

Strauss feels that this expansive conception of the president's executive function stemmed from the Framers' "associated beliefs that such a person might bear focused political accountability for the work of law execution and serve as an effective political counterweight to Congress."[40] (Somewhat curiously, he feels that the Framers were motivated in this latter regard by their perception that the presi-

[37] Peter L. Strauss, "The Place of Agencies in Goverment: Separation of Powers and the Fourth Branch," *Columbia Law Review* 84 (April 1984).

[38] Ibid., 579.

[39] Ibid., 648-50, 662-67.

[40] Ibid., 600.

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dent's influence would serve as a balance against Congress's tendency towards tyrannical majoritarianism.) Similarly, it is for the purpose of preserving the president's role as a political counterweight that Strauss argues against direct legislative control over agency rulemaking. Since rulemaking authority is typically delegated to agency heads (and not the president), he feels that such a practice creates the potential for congressional dominance, again defeating the intent that the president compete with Congress in the area of administrative policy making.[41]

A Critical Examination of the New Model

In brief, the prevalent view that has arisen regarding oversight of administrative policy making is that the president should play an active role in which he directly guides or strongly influences agency decisions, and that Congress should be confined to a supervisory role in which it relies on the legislative process to correct implementation after the fact. The popularity of these prescriptions is underscored by the fact that they have begun to enjoy formal expression in the structure of American government. Notwithstanding its appeal, however, the case for executive centralization is based on oversimplifications concerning institutional behavior. As the two most dramatic presidential and congressional efforts to control the administrative process, Reagan's program of regulatory review and the legislative veto illustrate these deficiencies well. Perhaps a more important point is that, beyond its empirical limitations, the new model reflects a combination of normative premises and related assertions about constitutional mechanics that downgrade or ignore key goals of our political system.

Centralization and the Nature of Responsiveness

An evaluation of the new model of political oversight must be based in part on an empirical assessment of the politicization introduced by executive and legislative control. Does the president's election by a national constituency mean that his actions in the administrative process will further the public good or at least broad majoritarian interests? Similarly, do the facts that Congress is elected by diverse constituencies and performs much of its work through committees mean that legislative oversight will be fragmented and serve special interests? Evidence concerning the effects of oversight, combined with a more general consideration of the incentives and limitations that shape presidential and congressional behavior, suggest that the constituency claims behind the new paradigm are overdrawn.

After seven years, the Reagan administration's program of regulatory review speaks directly to the character of presidential oversight. Although objective cost-benefit analysis has ostensibly provided the basis for review, few would contest the fact that executive intervention has often been driven by political considera-

[41] Ibid.

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tions. In this regard, numerous studies have documented that oversight often has not been motivated by the broad majoritarian concerns imputed to the president on the basis of his national constituency. Rather, it has served group interests similar to those alleged to precipitate congressional interference. Typically, they have been industry groups seeking to block proposed health, safety, consumer, and environmental regulations.[42] The Reagan administration openly solicited input from such quarters soon after regulatory review was instituted. In April 1981, for example, a key program official told the National Chamber of Commerce that the White House would act as an appellate board for business groups that had failed in their attempts to influence policy at the agency level.[43]

A good case is never served by exaggeration, and the issue of whose interests are being represented by executive oversight is in truth a complex one. The president's constituency is a factor that cannot be casually overlooked in this regard. At the least, it often means that he has appealed to (and may have helped shape) some national *Zeitgeist*, which may subsequently be reflected in his administration's oversight actions. Review under EO 12291 provides a good example of this, for the pro-business thrust of executive oversight has been consistent with the conservative mood that brought Ronald Reagan to power. Indeed, the implementation of the Reagan order may seem to suggest that the linkage can be much more specific, given that the President was elected and reelected on platforms that included criticism of big government in general and regulation in particular.

Yet if these points contain important elements of truth, they also oversimplify by ignoring two general characteristics of the relationship between the president's constituency and his behavior.[44] The first is that his electoral appeal is based on policy positions in a wide variety of areas (and on other factors as well), and that different voters have different issue priorities and value structures. There is no guarantee that executive policy oversight in any particular area will reflect a national mandate as a result. It may, for example, reflect the intense preferences of a minority at the expense of a more diffuse majority—especially if that minority comprises an important element of the president's constituency. A revealing observation about the Reagan order is that public opinion polls have shown enduring majority support for the social regulatory programs, which have been the main targets of executive review.[45]

A second and equally important point is that almost all of the specific issues

[42] Cooper and West, "Presidential Power"; West and Cooper, "Rise of Administrative Clearance"; Eads and Fix, *Relief or Reform*; and Olson, "Shift of Power."

[43] Boyden Gray, speech before the National Chamber of Commerce, 10 April 1981. For an extensive discussion of the Reagan administration's solicitation of complaints from the business community see Susan J. Tolchin and Martin Tolchin, *Dismantling America: The Rush to Deregulate* (New York: Oxford University Press, 1983).

[44] For a much more extensive critique of the assumptions about representation that underlie arguments for executive supremacy see Joseph Cooper, "Assessing Legislative Performance: A Reply to the Critics of Congress," *Congress and the Presidency* 13 (Spring 1986).

[45] Tolchin and Tolchin, *Dismantling America*, 263–65.

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that must be dealt with in performing oversight arise between elections. As a result, access to executive officials as administrative policy is being made is much more crucial than electoral decisions as a linkage between public preferences and the character of oversight. In this regard, executive review will naturally be influenced, not necessarily by broad majoritarian interests, but by groups that are powerful, intense, and close to the president. The pro-business orientation of review under EO 12291 is again instructive. A prominent industry attorney and former Environmental Protection Agency (EPA) official succinctly described the character of much executive oversight when he noted that "anybody representing a client who didn't [seek to influence OMB review] would be damn negligent."[46]

Just as the new model of oversight reflects a distorted view of executive representation, it also exaggerates the legislature's fragmentation and susceptibility to special interests. As with presidential efforts to influence agency decisions, congressional oversight is frequently activated by constituent pressures. There is little reason to expect otherwise given Congress's limited resources and the political incentives of its members. It is also true that legislative intervention in the administrative process can serve intense, special interests at the expense of the general public. To many, a particularly odious illustration of this was Congress's veto of a Federal Trade Commission (FTC) regulation that among other things would have protected consumers by requiring the disclosure of known defects in used cars.[47] Notwithstanding its potential for abuse, however, critics of legislative oversight misrepresent its character in several respects.

One point worth noting is that their distinctions between general and special interests are often flawed. This is certainly true of the case studies Harold Bruff and Ernest Gellhorn rely upon in the leading empirical attack on the legislative veto. While they criticize the veto as a device through which Congress could induce the Office of Education to expand eligibility criteria for student loan guarantees, for instance, this outcome could just as easily have been described as an effort to extend the benefits of a costly program to the middle class.[48] Moreover, one may easily cite cases in which legislative oversight has been used to serve broadly defined or disadvantaged interests against what are normally regarded as special interests. In 1979, for example, the House used its veto authority to force the Department of Housing and Urban Development (HUD) to abandon a rule defining eligibility criteria for housing assistance payments, essentially be-

[46] Felicity Barringer, "Feud Tests OMB as Regulatory Watchdog," *Washington Post*, 26 November 1982, quoted from Eads and Fix *Relief or Reforms*, 138.

[47] The National Automobile Dealers Association gave more than $1 million in congressional campaign contributions in 1979 and 1980, largely in anticipation of the FTC's used car rule. See Michael Wines, "FTC About-Face Under Miller May not be Enough for Congressional Critics," *National Journal*, 5 June 1982, 992.

[48] Harold Bruff and Ernest Gellhorn, "Congressional Control of Administrative Regulation: A Study of Legislative Vetoes," *Harvard Law Review* 90 (May 1977): 1382–1409.

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cause it felt that such a policy would benefit builders at the expense of tenants, many of whom were senior citizens or low-income families.[49]

Much of the inaccuracy that characterizes assessments of congressional oversight can be traced to misconceptions about the roles and policy orientations of committees and subcommittees. As discussed earlier, it is the centrality of committees to the process that allegedly accounts for the parochial thrust of legislative influence. Some critics are content to point out that committees are less than the whole, and often quite unrepresentative of it in terms of their constituency ties and policy orientations. This argument may be supplemented with the observation that it is really committee staff and not legislators themselves who interact most frequently with the bureaucracy. A related but more extreme criticism is that committee or subcommittee based oversight is part and parcel of the diffusion of authority to subgovernments that has occurred in recent decades.[50]

The argument that legislative oversight gives undue voice to committees in determining administrative policy proves too much. One difficulty is that it ignores the obvious fact that the committee system has provided the essential specialization and division of labor through which Congress has sought to cope with the demands of modern society. If the mere reliance on committees is the basis for condemnation, then Congress's legislative activities are inappropriate as well, for here too committees play a central role in formulating, reviewing, and revising policy. Few critics of legislative oversight would endorse such a logical extension of their arguments.

An observation more directly germane to the issue at hand is that neither Congress nor its committees are as unmindful of broader concerns as the critics of legislative oversight contend. This point is cogently argued by Arthur Maass, among others.[51] It is cynical to assume, for instance, that legislators' narrow self-interest will always supersede their sense of justice or the public good. To believe this is to believe that members lack strongly-held policy commitments of their own. More important from an institutional perspective is the fact that committees are ultimately agents of the whole. Though Congress lacks the same degree of unity of purpose and discipline in its actions as the executive, this does not mean that its members can ignore the effects their actions will have on the constituents or concerns of other legislators. Thus, committees must respond to widespread sentiment in their parent bodies on salient issues, and they frequently rely both on cues furnished by party leaders and on their own sense of the mood of the whole to identify such sentiment. Also, they can be and are disciplined in a variety of formal and informal ways, ranging from amendment or even rejection of their proposals, to replacement of their members, to simple ridicule and loss of prestige.[52]

[49] Testimony of Millicent Fenwick, *Congressional Review of Federal Agency Rules and Regulations: Hearings Before the Senate Committee on Governmental Affairs*, 96th Cong., 2d sess., 1980.

[50] Lowi, *End of Liberalism*; Fiorina, *Congress*; Schaefer and Thurber, "Legislative Veto."

[51] Arthur Maass, *Congress and the Common Good* (New York: Basic Books, Inc., 1983).

[52] William F. West and Joseph Cooper, "The Congressional Veto and Administrative Rulemaking," *Political Science Quarterly* 98 (Summer 1983).

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An examination of the structure of congressional vetoes attests to the linkages that exist between committees and the whole in the legislative oversight process. If the proliferation of vetoes in the 1970s was a way of distributing power and thus enhancing the ability of members to cultivate clientele group support as many critics contend, one would also expect to find increased reliance on committee forms of the device during that period. In fact, precisely the opposite occurred. Of the 115 veto mechanisms enacted before 1970, 62.5 percent relied on some type of committee action as opposed to action by one or both houses. In contrast, only 52.0 percent of the 159 vetoes enacted between 1970 and 1976 fit this category. A more telling observation is that Congress relied exclusively on one and two-house mechanisms as it extended the veto beyond individual agency actions to the articulation of general policy through rulemaking in the 1970s.[53]

Centralization and the Nature of Coordination

A second way in which the new model of political oversight misrepresents reality is through its conception of coordination. The consolidation of administrative power effected by presidential oversight does not equate with internal, coordinative control of the administrative process. The history of the Reagan administration's program of regulatory review is again instructive. Thus, the fact that OMB has made little effort systematically to identify and rectify inconsistencies in the implementation of policy by executive branch agencies was made clear in an extensive Government Accounting Office (GAO) report:

> OMB does not appear to exercise its powers under EO 12291 to reduce conflicts among regulations or to ensure consistent application of the regulatory analysis process. . . . OMB offcials told us that they make no systematic effort to uncover potential conflicts among proposed regulations, or between proposed rules and existing rules, and that they are addressing the issue in only an ad hoc way.[54]

The immediate explanation for the lack of coordination under the Reagan order is that OMB has simply not had the resources needed to perform comprehensive oversight. The relative smallness of the staff devoted to review (about seventy-five) has ensured that only a fraction of the roughly 2500 regulations submitted each year can receive meaningful attention.[55] A more fundamental explanation is that administrative coordination, as opposed to control over politically-important agency actions, is simply not a high priority for the president. And if it were, moreover, anything approaching comprehensive review of executive branch activities

[53] Joseph Cooper and Patricia A. Hurley, "The Legislative Veto: A Policy Analysis," *Congress and the Presidency* 10 (Spring 1983).

[54] Comptroller General, Report to the Chairman, Committee on Governmental Affairs U.S. Senate, "Improved Quality, Adequate Resources, and Consistent Oversight Needed If Regulatory Analysis Is To Help Control Cost Of Regulations" (Washington, D.C.: GAO/PAD-83-6, 2 November 1981), 53.

[55] GAO Report; West and Cooper, "Rise of Administrative Clearance."

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would be extremely difficult if not impossible to attain. The burdens of analysis and communication would be staggering. The tremendous expansion of presidential staff that would be required even to begin such a task would simply entail the delegation of coordinative responsibility from one bureaucracy within the executive branch to another.

This is not to deny that presidential influence promotes a certain kind of coordination. Executive oversight is in large part a process of reacting to controversial issues, and the consideration and reconciliation of competing objectives is ensured to an extent by the fact that someone—an industry or public interest group, or perhaps another agency—will generally complain and seek redress when adversely affected by an administrative action. Sufficiently important conflicts not resolved at the agency level will usually rise within the executive branch until they are disposed of authoritatively. This sort of ad hoc, political coordination has been enhanced through the institutional mechanisms created by EO 12291. But again, it does not involve the consideration and explicit comparison of all regulations. Rather, it is part of a reactive, politicized process of review, the outcome of which reflects the president's goals and constituency ties.[56]

Legislative oversight involves a similar dynamic. The new paradigm's assumptions that Congress is not particularly interested in administrative efficiency per se and that it lacks the necessary resources for systematic review are undeniably true. What is false is the assertion that legislative oversight must be comprehensive to serve as an effective instrument of control. As with executive review, the fact that legislative intervention is reactive is precisely what makes it viable. Mathew McCubbins and Thomas Schwartz argue convincingly in this regard that ad hoc responses to "fire alarms" are an efficient means of ensuring that limited congressional time and effort are devoted to the most controversial and politically salient administrative policies.[57]

Neither executive nor legislative oversight are comprehensive, then, and both serve to mitigate inconsistencies among administrative policies largely as a by-product of their response to political conflict. This is not to say that their effects are the same. Presidential oversight may well promote a higher degree of rationality in the sense that it reflects a more uniform set of policy preferences. Although characterizations of Congress's fragmentation are overdrawn, the presidency is obviously a more centralized institution whose oversight decisions are likely to be more consistent with one another. This in itself is an insufficient reason for advocating presidential hegemony in conducting oversight, however. Given that administration involves significant policy choices, the goal of efficiency is necessarily subordinate to constitutional democratic goals. The fact that arguments for cen-

[56] Cooper and West, "Presidential Power"; West and Cooper, "Rise of Administrative Clearance."

[57] Mathew D. McCubbins and Thomas Schwarz, "Congressional Oversight Overlooked: Police Patrols versus Fire Alarms," *American Journal of Political Science* 28 (February 1984). For a critique of recent literature on legislative oversight see Terry M. Moe, "An Assessment of the Positive Theory of 'Congressional Dominance,'" *Legislative Studies Quarterly* 12 (November 1987).

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tralization through executive control are based on oversimplifications regarding the political consequences of presidential and congressional oversight is obviously relevant here. Even more problematic are the new model's implicit normative assumptions.

Centralization and Constitutional Legitimacy

The observations made above need not be overstated. It is sufficient to note the lack of empirical sophistication in the claim that presidential oversight serves to rationalize the administrative process pursuant to broad national interests, while congressional oversight has a parochial and centrifugal effect. Yet whatever its determinants and whatever direction it takes, a more important issue is raised by the fact that executive centralization tends to further *one* set of policy preferences. In this regard, the new model of political oversight is based on normative oversimplifications as well as empirical ones.

The fact that the president must organize a national coalition to win election does not ensure that his oversight actions will further majoritarian interests across all issues. Even if they did, however, few would endorse a populist model of unquestioned and complete responsiveness to a simple national majority as a general prescription for government action. Similarly, few would argue that one conception of the national interest or of what is otherwise just or proper should guide policy making. Two defining tenets of our democracy are that all constituency principles are imperfect and that all public officials are potentially subject to poor judgment and other human failings. These premises are the very foundations for the structure of American government, which requires that policy decisions be based on accommodation among different majorities aggregated in different ways through varying electoral principles and representative institutions. The need to preserve this accommodation supersedes questions of efficiency, moreover, since the evaluation of means is subordinate to a consideration of the ends (policies) they serve.[58] If one assumes, then, that presidential control rationalizes political decision making pursuant to simple majoritarian interests, why should this criterion dominate policy making only in the administrative process?

Viewed in this light, considerations of good institutional policy and of constitutional mechanics merge, for the means through which American government seeks to prevent the tyranny of one interest or viewpoint over others is its Madisonian system of checks and balances. Again, therefore, one must ask why the president alone should control agency policy making. If powers are fused within the administrative process, then presidential hegemony can only be justified through an empirical argument that establishes its necessity as a means of balancing legislative influences felt elsewhere. Strauss's assertion that presidential control over agency policy making was intended by the Framers as a counterweight to Congress's legis-

[58] For an elaboration of these points see Cooper, "Assessing Legislative Performance."

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lative policy-making power serves this end. However, a more sophisticated application of the checks-and-balances approach, which takes into account the dynamics of twentieth-century American government, suggests that exclusive presidential control over agency policy making may contribute to a serious imbalance in the relationship between executive and legislative power rather than serve as a corrective or stabilizing force.

Two frequently-noted institutional developments point to the necessity of a stronger role for Congress in the administrative process as a means of sustaining its systemic prerogatives. The first is the tremendous expansion of delegated authority noted earlier. Although Congress could and did write detailed legislation during the nineteenth century, confining the discretion of a small bureaucracy, the twentieth century has seen a continual cession of authority to the executive. The growth of the Code of Federal Regulations (CFR) in recent years illustrates the acceleration of this trend, and the fact that this same document has by now far surpassed the United States Code in size is symbolic of the basic shift that has occurred.[59] It is true that all administrative decisions are made pursuant to more general legislative directives. As a practical matter, however, they often involve substantial discretion in balancing competing values. Given this reality, a positive role for Congress in helping to shape important administrative decisions would be an institutional adaptation appropriate for sustaining its core function of establishing national domestic policy.

Some counter that emphasis on legislative oversight only serves to exacerbate Congress's loss of control over its core function of articulating policy through statutory law. Their argument rests on two premises. First, Congress simply lacks the resources and incentives to conduct oversight in any effective way. Second, if Congress is not able to entertain the illusion that it can control policy outcomes through oversight, then it will naturally legislate in greater detail rather than abdicate its authority to the executive.[60]

These points are not convincing, however. Oversight does not have to approach comprehensiveness for it to aid Congress in maintaining its policy-making prerogatives. The most important conflicts in our political system naturally tend to rise to the highest levels of institutional authority for resolution. Although greater statutory specificity may be possible in some instances, it would be neither feasible nor wise for Congress to write significantly more detailed legislation as a general practice. The reasons for this are well known. Congress has to spread finite resources over many more areas of policy making than it once did. Similarly, legislative expertise is severely strained by the complexity and instability that have come to characterize many policy issues. Finally, delegation is also attributable to Con-

[59] In 1960 the CFR contained 22,876 pages. By 1965 the figure had risen to 35,821; by 1970 to 54,482; by 1975 to 71,307; and by 1982 to 104,938.

[60] Bruff and Gellhorn "Congressional Control."

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gress's inability to forge majorities in support of controversial policies, as critics claim.[61] Yet those who feel that this practice can be overcome by more responsible behavior ignore the realities of legislative politics. Consensus building is a difficult process that naturally consumes legislative resources that would otherwise be employed elsewhere. Indeed, none of the sources of increased delegation are subject to correction through sheer acts of will.

For all these reasons, the requirement that Congress substantially limit bureaucratic discretion would result in a diminution of the political system's ability to satisfy modern society's expanded needs for government action. Given that Congress has found an increasing need to delegate its legislative powers, strengthening its ability to influence policy choices within the administrative process is not a perversion of its constitutional role, but a necessary way of sustaining its core function in the face of twentieth-century realities. The extension of the president's administrative authority has reinforced this imperative, moreover, because the consolidation of administrative power under a coequal branch has naturally rendered it increasingly difficult for Congress to influence agencies through indirect and informal means.[62]

Strauss's use of checks and balances to prescribe a direct role for the president in controlling agency rulemaking and to disallow congressional efforts to do the same is therefore ahistorical in that it ignores the twentieth-century shift in policy-making power from the legislative to the executive branch. Assuming for the sake of argument that presidential control over bureaucracy was intended to serve as a political counterweight to Congress's legislative prerogatives, the systemic importance of such control has grown immeasurably as a direct function of the proportion of all policy-making authority located in the administrative process. It is highly doubtful that the Framers foresaw an administrative state such as we have today.

A second way in which the checks-and-balances argument for executive centralization is ahistorical is that it ignores the expansion of presidential power in legislative policy making. As late as the 1890s, the Senate routinely rejected executive bills out of hand as an unwarranted infringement on congressional prerogatives. Throughout the twentieth century, however, the presidency has acquired a very substantial arsenal of powers in budgeting, planning, legislative clearance, program review, and other areas, together with the staff resources needed to utilize them effectively.[63] Congress has generally consented to and in fact has facilitated this fundamental change in constitutional structure, just as the courts have sustained it. They have been guided in both cases by necessity. As Stephen Wayne observes:

[61] Lowi, *End of Liberalism*.

[62] Cooper and West, "Presidential Power"; West and Cooper, "Rise of Administrative Clearance"; Morton Rosenberg, "Presidential Control of Agency Rulemaking," *Michigan Law Review* 80 (December 1981).

[63] Stephen J. Wayne, *The Legislative Presidency* (New York: Harper and Row, 1978).

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> Today, executive initiative and involvement is taken for granted. It has become an expectation, made necessary by demands for activism in a system characterized by its political and constitutional constraints. Congress' seeming inability to provide comprehensive legislative programming and, until recently, comprehensive budgeting has literally forced the President and his staff to develop mechanisms and processes for legislative policy making.[64]

The evolution of the legislative presidency has, of course, been supported by the same basic arguments used to justify executive control of administrative policy making. Growing demands for coherent, programmatic action at the national level, coupled with the erosion of party discipline and centralized leadership in Congress, have rendered presidential government increasingly appealing. This prescription has been qualified and attacked to be sure. With the exception of several temporary remissions after perceived abuses of executive authority, however, it has remained a prevailing theme at least since the New Deal.[65]

Strauss's failure to include the expansion of the president's legislative role in his checks-and-balances equation inevitably leads to biased results. Not only are policy making in the legislative and administrative processes functionally equivalent in the sense that they both involve choosing among competing social objectives, but they are also interrelated. To allow the executive a role in the legislative process is to allow it to influence its own marching orders in the administrative process. To allow the executive centralized control over the administrative process is to allow it substantial control over the direction and success of congressional programs. Moreover, power is transferable between the two processes, both within and across policy areas. Thus, centralized executive control over administration can be used to influence legislation through bargaining and logrolling. These facts logically have important implications for constitutional analysis. If Congress has been forced to abdicate a sizeable portion of its core function to the president within the legislative process, blocking its efforts to compete with him in the administrative process only exacerbates its loss of systemic policy-making power.

Conclusion

It would be misleading to convey the impression that the practical effects of the new model of oversight have left Congress devoid of influence in the administrative process. Control over appropriations and enabling legislation obviously give it substantial leverage in its dealings with agencies. In addition, the *Chadha* decision has not precluded all institutional mechanisms that make administrative policies in some substantial way conditional upon congressional acquiescence or approval. Given that *Chadha* was based explicitly on presentment and bicameralism, Congress has substituted joint resolutions of approval or disapproval (which are

[64] Ibid., ix.

[65] See Sundquist, *Decline and Resurgence.* Also see Edward S. Corwin, *The President: Office and Powers* (New York: New York University Press, 1941).

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presented to the president for his signature) for many existing vetoes and has extended these devices to new areas as well. Congress has also continued to enact provisions that require affirmation of agency expenditures by the Appropriations Committees and other committees (even though these would appear unconstitutional according to the logic of *Chadha*).[66]

Nonetheless, Congress's ability to influence the implementation of statutes directly has been constrained, and the oversight mechanisms that remain at its disposal are cumbersome and impractical in a number of contexts. In addition, the intellectual currents responsible for *Chadha* and other recent decisions could well result in further restrictions. Nor can one fully assess the state of congressional influence in the administrative process without simultaneously considering executive advances. The enhancement of presidential power through central clearance and other devices has necessarily made the task of legislative oversight more difficult.[67]

The implications of these developments can be appreciated in part through an understanding of the premises that sustain the new model of oversight. The prescription for presidential control and passive congressional monitoring is based on faulty empirical assumptions regarding the motivations and constraints that determine the character of both executive and legislative behavior. It is further based on a simplistic, incomplete set of premises regarding the goals of American democracy and the institutional arrangements appropriate for their attainment.

Beyond its direct policy and institutional effects, limiting Congress's oversight role may also have significant indirect impacts. Critics of legislative oversight are correct in their assertion that denying Congress the opportunity to influence the administrative process will cause it to rely more heavily on statutory specification as a way of controlling policy outcomes. It will naturally utilize this as its remaining option in competing with the executive. Where critics err is in their characterization of such control. Because it often lacks the resources and the foresight initially to write comprehensive, detailed legislation, a much more likely scenario is that Congress will turn to corrective legislation in which it reacts to specific agency actions. Indeed, it has already begun to enact such provisos with increased frequency, most commonly of late in the form of riders attached to omnibus appropriations bills.[68]

After-the-fact control is less desirable than direct congressional influence over

[66] Louis Fisher, "Legislative Vetoes Enacted After *Chadha*," CRS Report no. 87-389 GOV 28 April 1987.

[67] Cooper and West, "Presidential Power"; West and Cooper, "Rise of Administrative Clearance."

[68] Recently, for example, language was added to an omnibus Senate appropriations bill that would nullify a Federal Communications Commission waiver of its crossownership rule that would allow Rupert Murdock to own a daily newspaper and a television station in the same market. For a description of this and a variety of other provisos nullifying administrative actions added to the same bill see, "Senators Seek to Alter Rule Affecting 2 Newspapers," *New York Times*, 5 January 1988; "FCC to Revise Minority Help Policies," *New York Times*, 6 January 1988.

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the administrative process for several reasons. Given that administrative policies often shape planning and investment decisions, the nullification of such policies after they have taken effect can obviously suffer in terms of efficiency and justice. Because it is apt to be attached to other bills, moreover, reactive legislation has low visibility and is also unlikely to receive careful consideration on its own merits. In both these respects, such legislation lends itself more readily to the service of special interests and other abuses than do formal oversight actions involving approval or disapproval by one or both houses.

In brief, an active role for Congress in the administrative process is salutary for several reasons. In terms of substantive policy impulses, the political representation brought to bear through legislative oversight is a healthy counterpoise to that introduced by executive oversight. It is also preferable to the influences likely to motivate the sort of corrective legislation to which Congress will resort in the absence of viable oversight options. Given these effects, an active role for Congress in the administrative process also emerges as a healthy means of sustaining a balance of institutional power within the political system. One need not fully endorse Samuel Huntington's pessimistic conclusions regarding the demise of Congress's legislative role to recognize the intelligence of his argument that Congress's participation in the administrative process is a sound adaptation to the conditions of modern government.[69] It is both ironic and inconsistent in this regard that the evolution of a legislative presidency has taken place smoothly and with relatively little controversy in response to changing systemic needs, while efforts by Congress to control administration have been attacked as unconstitutional.

[69] Samuel P. Huntington, "Congressional Responses to the Twentieth Century" in David Truman, ed., *The Congress and America's Future* (Englewood Cliffs, N.J.: Prentice-Hall, 1965).

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Sheltering the Homeless in New York City: Expansion in an Era of Government Contraction

DONNA WILSON KIRCHHEIMER

In the United States, expansion of public social functions was not expected in the 1980s. The growth trend in national social spending contracted after the Reagan administration's Omnibus Budget Reconciliation Act of 1981, which repealed certain benefits and capped the allocations for new block grants. National social expenditure later continued to increase, but the growth was principally in programs that were previously legislated and was rarely due to authorization of new social functions.

Research literature suggested it was unlikely that cities would surge forward independently to make a large and rapid addition of a social function. Studies of municipal expenditure change found that U.S. cities were historically preoccupied with their legal obligations to balance their budgets and made only conservative increments at the margin.[1] Research on urban politics asserted that the interest of a city's leadership in promoting economic activity created a bias against redistributive policies for low-income residents.[2] Moreover, when national policy ex-

[1] John P. Crecine, *Government Problem-Solving* (Chicago: Rand McNally, 1969).
[2] Paul E. Peterson, *City Limits* (Chicago: University of Chicago Press, 1981).

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panded social functions historically, research characterized subnational implementation as tragic theatre in which gleaming national hopes went astray.[3]

Despite such expectations, some new social functions were assigned to U.S. government and to subnational governments during 1978–1988. Large new social responsibilities were, however, few in number, and they invite explanation. This analysis examines a significant function that the U.S. government and many state, city, and county governments (as well as thousands of private nonprofit organizations) did initiate—the financing, regulation, and provision of emergency shelter for people who were homeless.

This analysis explores the proximate political conditions that may help to explain the magnitude and speed of growth of emergency shelters at the subnational level. On the assumption that a confluence of direct political factors would be necessary to account for large expansion, the analysis tests a series of hypotheses. These are: bureaucratic momentum, the political opportunity structure, the political culture, the policy regime, the political interest structure, media agenda, and authoritative bargaining arenas. To evaluate these multiple factors, the analysis focuses on a single site. It draws on the case of emergency shelter for the homeless in New York City during 1978–1988. New York City was a harbinger of the national increase in homeless people and of expansion of emergency shelters in other cities.

Emergency Shelters in New York City

The growth in New York City expenditures for emergency shelters was sudden and large, not at all the type of incremental creep that was thought to typify urban expenditure change. From 1978 to 1985, the city's annual spending increased from $8 million to over $100 million for operating and capital improvements for shelter services for homeless single men and women. Additionally, new city budget allocation for emergency shelter for homeless families started after 1982 and increased to $100 million by 1985.

New York City government had on a small scale provided temporary shelter to the homeless for about a century, but significant changes during 1978–1988 transformed it into a new function. First, during that period, the average nightly census exceeded 2,000 persons for the first time since the Depression. In the Depression, the municipal lodging house overflowed until the Works Progress Administration supported new annexes for almost 10,000 people nightly in 1936. A half century later, the nightly census boomed again and reached over 10,000 single men and women in winter 1986–1987. Second, use of shelters climbed through the 1980s, while peak Depression use dropped after 1936 to only 300 per night in World War II. Third, homeless families appeared in large numbers; they quintupled from under

[3] Jeffrey L. Pressman and Aaron B. Wildavsky, *Implementation*, 3d ed. (Berkeley: University of California Press, 1984).

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1,000 per night before 1982 to about 5,000 (including 12,000 children) in 1987. Fourth, the period of stay elongated in the 1980s. Families remained in shelters an average of thirteen months in 1986. Many single men and women were repeat users, although many shelters prohibited return to the same bed every night. Fifth, the number of shelters mushroomed. Shelters for single men and women increased from three in 1978 to eighteen in 1985. Also, there were few hotels and residential centers for homeless families before 1982, but in 1983 there were more than fifty. Sixth, the content of service changed. Specialized shelters opened for subpopulations with different needs, such as pregnant women, women with infants, families, youth, the elderly, veterans, and substance abusers. Also, a new kind of shelter was created with facilities (such as private rooms for families, and refrigerators) that were intended for stays of several months. These were designed to be "transitional shelters," a form of accommodation intermediate between barracks-style shelters for single nights and permanent housing. Seventh, shelters in the 1980s could no longer turn people away when they were full, and the city government became legally obligated to provide a bed to every person who requested one.[4]

Ironically, the principal source of revenue for expanding emergency shelter for families was a federal grant hit by the Reagan retrenchment, Aid to Families with Dependent Children (AFDC).[5] Although the cuts curtailed a number of AFDC's benefits (such as day care for children and work expenses), its program of Emergency Assistance to Families (EAF) was not affected. New York State opted to use EAF for emergency shelter and extended the emergency period beyond the statutory allowance for federal reimbursement. For homeless individuals, also, New York took initiative in expanding use of federal funding sources, such as Veteran's Assistance, Social Security Disability Insurance, and the Supplemental Security Income program. New York's initiative to diversify shelter costs into federal funding streams indicated that the drive for expansion was state and local, and not top-down implementation of national policy.

Expansion of shelters came in response to a deterioration in living conditions that was visible to the city's general population. Homeless people were an everyday sight because of the magnitude of outdoor sleeping, its location in downtown and well-to-do areas, and the intrusiveness of begging. The problem spread over time. Single homeless men increased in the late 1970s, and then single women. After 1982, homeless families began to seek emergency shelter. The inequalities in living conditions were self-evident and represented deterioration below the historical threshold of popular acceptance. Thousands of beggars were able to subsist on donations from passers-by.

In summary, in the 1980s New York City government invested in a vast network

[4] New York City Human Resources Administration, *New York City Plan for Homeless Adults* (New York: Human Resources Administration, 1984); New York City Mayor's Office of Operations, *Mayor's Management Report* (New York: Citybooks, 1987).

[5] John L. Palmer and Isabel V. Sawhill, eds., *The Reagan Experiment* (Washington, D.C.: The Urban Institute, 1982).

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of emergency shelters that were designed for short-term use. The shelter response was a minimal, emergency, protective function that mirrored the crisis definition of the problem. By the end of the decade, this system was embedded in the city's housing market, and temporary shelter for the homeless was institutionalized as a large new public social function. It became likely that only expansion of another public function, permanent housing for low-income renters, would diminish the scale of emergency shelter in the 1990s. The following sections test the series of direct political factors that hypothetically could have influenced expansion of public resources to shelter the homeless in New York City.

Bureaucratic Momentum

The push of bureaucratic momentum is said to impel a public organization to expand its domain. Internal forces are described as a "ghost within the machine," which generates new policy realms and new costs.[6] Bureaucrats are said to have self-interests like everyone else that propel them to ever expand their spheres of activity.[7] Bureaucratic factors can be linked to forces outside an agency through professional organizations, which are said to be driven by similar compulsions to dominate new terrain.[8]

Was bureaucratic empire-building a force in the New York City administration that impelled expansion of public shelters? City government did reject its prior practice of turning people away when emergency facilities were full, and its new policy offered shelter of some type to all persons upon request.[9] This policy reversal was, however, not self-initiated but came in response to litigation, which triggered higher institutional authority. Decisions to open new shelters were the mayor's, and hiring authority was controlled by the city's Office of Management and Budget, the deputy mayor, and the mayor, who were preoccupied with budget control. Decisions on geographic locations were mayoral. Opposition from neighborhoods was a well-recognized force that spawned the slogan "NIMBY," "Not in My Backyard!" Because political risk was high, mayoral control was critical to prevent, appease, and stonewall the opposition. Mayoral agencies were barraged by consumer demand and were preoccupied with the mammoth challenge of keeping up with the crisis in a responsive, not aggressive, fashion.

In sum, expansion of the shelter function was not automatic, and it was not self-propelled by a bureaucratic juggernaut. The mayor was not overwhelmed by the functional power of autonomous bureaucracies. City managers were fully cognizant of their obligations to provide a floor of social protection in the face of

[6] Richard Rose and Guy Peters, *Can Government Go Bankrupt?* (New York: Basic Books, 1978).

[7] Thomas E. Borcherding, *Budgets and Bureaucrats: The Source of Government Growth* (Durham, N.C.: Duke University Press, 1977).

[8] Samuel H. Beer, "Political Overload and Federalism," *Polity* 10 (Fall 1977): 5-17.

[9] Thomas J. Main argued that New York City's shelter policy itself contributed to the homeless family problem. See "The Homeless Families of New York," *Public Interest* 85 (Fall 1986): 3-21.

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emergency, but they did not seek out or exploit opportunities for bureaucratic aggrandizement and did not open shelters solely of their own volition.

Political Opportunity Structure

Opportunity for action by the U.S. national government has been associated with the opening of policy windows. Empirical examples include a change in administration that introduces a newly elected official with a fresh electoral mandate, a redistribution of congressional seats that shifts voting coalitions, a national mood shift, or a crisis or focusing event such as a natural disaster or major accident.[10] In New York City, however, none of the classic policy windows occurred. There was no new mayor who perceived his electoral mandate to be helping the poor. There was no new voting block in state or city legislatures. There was no natural disaster or accident, such as an earthquake or airplane crash. Nor was there any other major socioeconomic dislocation such as a war or mass migration. National social policy was retrenchment; and national, state, and local governments were preoccupied with cutback.

While the crisis was not a natural disaster or accident, the cumulative impact of the visibly homeless can be compared to an objective event to which the public reacts directly. The intrusive and prolonged image of homeless people was a focusing event, when a shared sense of crisis can lead to a widespread expectation that something be done, and people may tend to be receptive to remedial action by government. In this sense, the opportunity structure contributed to a potentially receptive environment that indirectly helped to make government action politically feasible. Mass temporary shelter was not, however, an old policy idea whose time had come; it developed as an "acute innovation"[11] that was desirable solely in crisis.

Political Culture

New York City has historically been called a "social welfare city" because of its "cosmopolitan liberalism," which supported government action to protect the less fortunate through redistribution of wealth and resources.[12] When the number of homeless people soared during 1978–1988, however, the mayor was not an exponent of liberal political culture. Mayor Edward Koch's inaugural speech in 1978

[10] John W. Kingdon, *Agendas, Alternatives, and Public Policies* (Boston: Little, Brown, 1984).

[11] Nelson Polsby, *Political Innovation in America* (New Haven: Yale University Press, 1984).

[12] Bernard R. Gifford, "New York City and Cosmopolitan Liberalism," *Political Science Quarterly* 93 (Winter 1978–79): 559–584. The present analysis understands political culture to be the discourse over central values concerning the legitimacy and appropriate roles of government. The argument is taken to be between egalitarian beliefs, which call for use of government to redistribute economic resources to the poor, and individualistic beliefs, which oppose redistribution by government (although public action may be supported for other purposes). The concept of political culture lacks a shared operational definition, but its appeal to scholars is recurrent, and its different meanings continue to

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blamed the "monumental problems" that New York City faced on its history as a "lifeboat for the homeless." Koch's social policies were fiscally conservative and were supported by a majority of the voting population. The NIMBY opposition was sometimes spearheaded by local elected politicians, and it charged a political price for opening shelters. Nevertheless, cosmopolitan liberalism was not quashed in the 1980s. Egalitarian beliefs motivated the policy community that mobilized against the mayor and contributed to the size and strength of advocacy by social welfare, public law, and religious groups on behalf of the homeless.

New York City's political culture was not a unitary belief system. Expansion of the shelters resulted from conflict between opposing beliefs within the political culture. Egalitarian values supporting redistributive policy were advanced mainly by opponents to the mayor, while the mayor himself represented fiscal conservatism on social issues. Cosmopolitan liberalism within the political culture had, therefore, only an indirect influence that helped to shape the policy-making context to be partially receptive. Political culture was not a direct or immediate cause of shelter expansion, nor did it have a unitary or singular effect.

The Policy Regime

Regime theory calls attention to the dominant coalition of interests in a city and to the political leadership's connection to the economic and political environment. It treats a policy agenda as the product of struggle over the political arrangements in a city's governing coalition.[13] It thus connects policy choices to the interests of a coalition of actors who have substantial concerns. Public officials face cross-pressure from multiple imperatives that compel them to balance conflicting structural interests.[14] Current research on urban development argues that politics matters. Although emphasis lies on the economic and political context, it accords a central role to political choice and leadership. Clarence Stone notes: "The common good is something that doesn't just happen. It is something that must be brought into being, albeit imperfectly, by a set of political actors."[15]

How can the concept of a policy regime help to explain expansion of a social

provoke argument. See for example, Aaron Wildavsky, "Choosing Preferences by Constructing Institutions: A Cultural Theory of Preference Formation," *American Political Science Review* 81 (March 1987): 3–22; and David D. Laitin and Aaron Wildavsky, "Controversies: Political Culture and Political Preferences," *American Political Science Review* 82 (June 1988): 589–596; Gabriel Almond and Sidney Verba, eds., *The Civic Culture Revisited* (Boston: Little, Brown, 1980); John Kincaid, ed., *Political Culture, Public Policy, and the American States* (Philadelphia: Institute for the Study of Human Issues, 1982); Raymond Wolfinger and John Osgood Field, "Political Ethos and the Structure of City Government," *American Political Science Review* 60 (June 1966): 306–326.

[13] Stephen L. Elkin, *City and Regime in the American Republic* (Chicago: University of Chicago Press, 1987).

[14] Martin Shefter, *Political Crisis/Fiscal Crisis* (New York: Basic Books, 1985).

[15] Clarence N. Stone, "The Study of the Politics of Urban Development" in Stone and Heywood T. Sanders, eds., *The Politics of Urban Development* (Lawrence: University Press of Kansas, 1987), 10.

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function in New York City? The empirical questions are to identify the coalition of interests that municipal leadership represents, to examine its links to the economic and political context, and to assess its impact on expansion of the shelter function. In New York City during 1978–1988, the dominant coalition was not a liberal one, and it had not incorporated minority groups.[16] Mayor Koch's voting block was not among the poor, the minorities, or the liberals, but among the white working-class and middle-class populations and the party machines in the outer boroughs. His constituency included real estate, developer, business, and financial interests that had promoted redevelopment since the late 1960s. Renovation and gentrification had displaced residents from flophouses and single-room-occupancy hotels; landlords had abandoned apartment buildings for more prosperous investments, leading to displacement of thousands of poor households. Koch's coalition thus tended to represent interests that favored economic redevelopment that had contributed to displacement and to underrepresent the poor and mostly minority people who had to seek emergency shelter.

The economic context of political leadership buttressed the preferences of the mayoral coalition for a conservative social policy. Because of the city's fiscal crisis and budget deficit, and the national cuts in intergovernmental grants in 1981, municipal priorities concentrated on cost control and reducing personnel positions. Competition for resources was high, and the city's budget process required that any new expenditure be justified on the basis of its potential to generate new revenues, its promise to save future costs, or its compliance with federal or state legislative, executive, or judicial orders.

Nevertheless, New York City was not Calcutta. A significant historical resource floor did exist, and policy response was not precluded. Several potential barriers that could have blocked revenue sources were weak in the 1980s. For example, there was no unusual inflation, nor a major taxpayers' revolt, nor an acute fiscal crisis, and economic recovery was rebuilding tax resources. The city achieved a balanced budget by 1981; short-term borrowing, net city debt, and debt service as a percent of total expenditures were by then below 1976–1977 levels.[17] Nevertheless, the municipal budget remained austere compared to its historical rates of increase, and in 1981 the Omnibus Budget Reconciliation Act cut millions of federal dollars. The mayor's ability to replace some, but far from all, of the federal cuts in social programs indicated that by 1981 there was some room for mayoral discretion to make modest increments for political needs.

Because the mayor's electoral coalition was fiscally conservative on social issues, he was under pressure to justify increased spending for shelters. He criticized the underfunding of affordable permanent housing by the state and national governments and took an entrepreneurial initiative to expand use of federal programs. Koch also blamed the homeless themselves for swelling shelter requests. He as-

[16] John Mollenkopf, "New York: The Great Anomaly," *PS* 19 (Summer 1986): 591–598.

[17] New York City, Office of the Comptroller, *Comparative Analysis of New York City's Financial and Economic Indicators, Fiscal Year 1982* (New York: Citybooks, 1983).

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sailed religious organizations for the paucity of shelters, and his criticism motivated churches and synagogues to add more beds. Broadening private suppliers and accusations of shirking municipal obligations enabled the mayor to share the political liability for expanding shelter costs.[18] Mayoral policy on the homeless was reluctant; the first mayoral plan for family shelters predicted a decrease in use of family shelters, the course of least political risk.

In summary, growth of the shelter function did not result from voluntary action by the city's dominant coalition of interests. The mayor's electoral coalition remained fiscally conservative on redistributive policy, and it did not incorporate the interests of shelter beneficiaries who were largely poor and minority. 1978–1988 was a period of fiscal constraint and not relative abundance, and sheer wealth did not spur public social spending. Regime theory helps to explain the pattern of conflict and its connection to economic and political interests. This case does illustrate how politics matters. Expansion of this function was neither automatic nor neutral, but was conflictual and political.

Outside Pull Factors

Were there more proximate political factors in the environment of city government that directly affected functional expansion? This section assesses the effects of the political interest structure, the media agenda, and authoritative bargaining arenas.

Political Interest Structure

The structure of expressed political interests has been typed as subgovernments and as issue networks. The main threads of difference are the degree of cohesion and collusion among the participants; their degree of like-mindedness; the intensity of interest or commitment they feel; their ability to assert autonomy; their definitions of success; and their orientation toward achieving results. What was the structure of interests in New York City that might have exerted an outside pulling force on governmental decision makers that induced them to expand the shelter function?

First, subgovernments have been classically configured as iron triangles composed of interest groups, congressional committees, and federal administrators.[19] The label denotes their tight bonds, autonomy, shared interests that are deeply felt, and effectiveness in obtaining public benefits for their constituencies. Was there in New York City a structure of interests resembling an iron triangle on the homeless issue?

Provider interests can be strong forces for expanding public benefits, as when

[18] *New York Times*, 20 January 1983.

[19] Harold Seidman, *Politics, Position, and Power*, 2d ed. (New York: Oxford University Press, 1975).

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defense industries lobby for military contracts. In New York City, however, profit-oriented providers of permanent housing were increasingly disinterested in welfare consumers. Owners of private apartment buildings and single-room-occupancy hotels were leaving the low-rent market, and developers aimed to attract higher-income tenants. Moreover public administrators did not form iron bonds with committees in the city's legislative bodies.

Also, the beneficiary population was a weak political force. The homeless were the poorest people in New York City and had no financial resources for political mobilization. The poor did not have an organizational base from which to press for their own needs. They tended to be inactive in electoral politics, and their support was not heavily courted by elected officials. The homeless also did not exert their force of numbers through organized protests or street demonstrations, which have been important to New York City's day care and senior citizen movements. About a third of homeless single persons were handicapped by major mental disabilities, and many suffered from substance abuse. Most heads of homeless families were young single women who had less than a twelfth grade education and less than a year of work experience, and they were preoccupied with caring for small children in unstable residences from which they had to move almost every other year. The main resource that the homeless possessed was moving their own bodies. By sleeping and begging in the streets and public places, their needs caught the public eye and activated the city's media and social welfare communities. In sum, there was no evidence of an iron triangle.

Second, was an issue network influential in pulling an expansion of public functions out of city government? Issue networks, in Hugh Heclo's definition, are loose associations of disinterested "journeymen" whose ties are for communication and ad hoc coordination.[20] In New York City, experts on the homeless issue did spring up in public bureaucracies, universities, and private nonprofit organizations, and their ties were open and informal. Many could be described as journeymen who were not personally identified with controversial opinions and were not independent political actors. Technicians contributed information on homelessness, such as studies of socioeconomic characteristics and shelter utilization; but they did not bring a direct or independent force for expansion to bear on government decision makers. Technicians in the public bureaucracy aided the top appointed officials who were their clients to manage the crisis according to mayoral policy.

If neither iron triangles nor issue networks of technicians impelled expansion, was there no pulling force from any political interest structure? This case suggests a hybrid type, in the middle of the continuum between iron triangles and issue networks, which can be called a "policy community."[21] A policy community

[20] Hugh Heclo, "Issue Networks and the Executive Establishment" in Anthony King, ed., *The New American Political System* (Washington, D.C.: American Enterprise Institute, 1978).

[21] Alice Sardell, *The U.S. Experiment in Social Medicine: The Community Health Center Program* (Pittsburgh: University of Pittsburgh Press, 1988), 206–208.

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resembles an iron triangle in that its participants share a commitment to a particular policy direction. However, like an issue network, it has loose internal ties and does not exert autonomous power.

How can the activities of a policy community help to explain expansion of shelters for the homeless? The New York City environment was a likely breeding ground for a new policy community because of its high and conflictual level of political organization and its group activity that historically had mobilized on social issues.[22] Within this milieu, a new policy community sprang up to specialize on the issue of homelessness. It was an identifiable community of shared values, which consciously challenged the existing institutional structure. It consisted of people who were committed social advocates, not neutral technicians, and they were not based in the city bureaucracy. The internal structure of this policy community was loose and open, and contacts were ad hoc and informal. Many members knew each other, exchanged information, shared strategies, and at times coordinated particular actions.

The political impact of this policy community was diverse. The groups publicized the needs of the homeless before the city, state, and national executive and legislative branches. They evaluated the quality of public shelter services and monitored enforcement of governmental standards. They developed proposals for emergency and transitional shelters and advocated models for replication. Many groups were service providers who ran overnight shelters, drop-in centers, soup kitchens, and food pantries, and some tried to organize homeless people on their own behalf. They recruited thousands of volunteers who were an important resource base for donated labor and transmission of community education. The groups informed the public about the homeless and attracted attention particularly from religious organizations, student populations, and the media. Two channels of influence were most important, educating the media and triggering the authoritative apparatus of the state courts.

The policy community had a varied resource base. Many of the groups were nonprofit social welfare organizations whose board members included the social and economic elites of the city. Advocates more recent to the scene dubbed them a "charitable industrial complex." Some organizations, including religious federations, had succeeded in obtaining public and private support for human services for a century, and some had ties to business corporations. These groups were joined by prominent individuals from the professions, such as two co-chairs of a new watchdog group, the Emergency Alliance for Homeless Families and Children, who were former deans of two graduate schools of social work and former commissioners in past mayoral administrations.

Most striking were the many new groups without significant resources that sprang

[22] James W. Fossett, *Federal Aid to Big Cities* (Washington, D.C.: Brookings Institution, 1983); J. David Greenstone and Paul E. Peterson, *Race and Authority in Urban Politics* (New York: Russell Sage Foundation, 1973).

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up in response to the homeless problem. Many were grassroots efforts that relied on volunteers to operate church basement shelters and soup kitchens. Some direct services received aid from the Federal Emergency Management Agency and later from New York State programs. A significant new organization was the Coalition for the Homeless, which was started by a young attorney then practicing at a well-known law firm and by individuals conducting advocacy research for the Community Service Society. The coalition formed initially on the problem of homeless single men in the late 1970s, but as the homeless grew to include single women, families, and children leaving foster care, their agenda widened also. The coalition developed ties with groups in other cities and helped to mobilize a national social movement on homelessness. The coalition started a newsletter in 1982, and a national conference of advocates for the homeless met in 1985.

The issue agenda of these groups had a high degree of specialization that reflected the diverse characteristics of the homeless population. Some groups focused only on the homeless, or only on homeless families, or only on hunger as a problem distinct from homelessness. People from the mental health and health fields might emphasize homeless single individuals among whom mental illness was significant, while those with a social service background might stress homeless families. More than fifty organizations became active on the specific problem of homeless families in only a three-year period. Initially, most social welfare and health-related groups entering the homeless issue were distant from groups that specialized in housing. Many groups with a homeless agenda wanted to alleviate the immediate crisis and concentrated on emergency shelters and feeding; and they initially lacked expertise on legislating, financing, and operating permanent housing for the poor. Their emergency emphasis paralleled the mayor's assignment of the new shelter system to a city agency that had long experience in social welfare but no jurisdictional authority over permanent housing.

Certain elected city officials were a significant part of the policy community. Main examples were City Council President Carol Bellamy, Comptroller Harrison Goldin, and Manhattan Borough President David Dinkins, all of whom were rivals of Koch within the Democratic Party for the mayoral position. The first mayoral plan for homeless families was produced at the request of the city's Board of Estimate, and it resulted from competition between the mayor and members of the board.[23] However, Bellamy went out of office in 1986, and Dinkins only came in then. Also, activist City Council members lacked an institutional base with strong committee resources and powers.

In sum, in this case the political interest structure was an issue network composed of congeries of organizations and individuals with homelessness on their agendas. Connections within the network were loose, and participants included committed advocates and disinterested journeymen providing information. Within the network, a nexus of organizations shared beliefs on desirable policy content.

[23] New York City Government, *A Comprehensive Plan for the Temporary and Permanent Needs of Homeless Families in New York City*, mimeographed, 1984.

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This policy community was a direct and immediate force that helped to pull functional expansion out of city government.

This case suggests a modification in the theoretical concept of issue networks. The idea of an issue network can denote a dynamic collection of participants who may include, however, not only neutral journeymen but also a hub of organizations who share policy prescriptions and who compose a policy community that may have direct policy impact.

The Media Agenda

Two functions of the media can be direct political forces that might directly help to impel government to expand social policy. First, attention from the media can increase the salience of an issue in the public mind and thus can help to shape the agenda of governmental decision makers.[24] Second, particularly in the field of social policy, media attention can be crucial to the success of protest groups.[25]

First, media publicity on the homeless increased sharply in New York City from 1978 to 1988. Television ran news and human interest topics that visually depicted human suffering and poor shelter conditions. Often television reporters covered the same story several days in a row and drew prolonged attention; they also provoked responses from government. All the city's major newspapers increased their attention. Before 1978, homeless persons were not categorized in *The New York Times Index*, but were included under "vagrants and migrants," which had few entries. But as the numbers of homeless persons grew, *New York Times* coverage of homelessness increased from 4 items in 1978 to 8 in 1979, 12 in 1980, 60 in 1981, 85 in 1982, 72 in 1983, 159 in 1984, 235 in 1985, 290 in 1986, 370 in 1987, and 302 in 1988.[26]

New York Times editorials favored responding to the needs of the homeless by opening shelters and permanent housing. *Times* editors supported mayoral efforts in the face of opposition from elected politicians, private nonprofit organizations, unions, and NIMBY proponents. They considered public resources to be overwhelmed and called for cooperation from volunteers, private nonprofit agencies, and the business sector. Editorials supported city efforts to place homeless men in permanent jobs, to use public assistance monies to prevent eviction, and to decentralize to smaller shelters citywide. Their most critical voice urged the city government to open shelters more speedily, to empty the mass shelters and welfare hotels,

[24] Maxwell E. McCombs and Donald L. Shaw, "The Agenda Setting Function of the Press" in Doris A. Graber, ed., *Media Power in Politics* (Washington, D.C.: Congressional Quarterly Press, 1984); Elihu Katz and Tamas Szecsko, *Mass Media and Social Change* (Beverly Hills, Calif.: Sage Publications, 1981).

[25] Michael Lipsky, *Protest in City Politics* (Chicago: Rand McNally, 1970).

[26] See *New York Times Index*. Items included news and feature stories, editorials, op-ed articles, letters to the editor, and photographs of homeless individuals and families in New York City and elsewhere.

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and to renovate permanent housing; the editors also prescribed federal and state actions to rebuild national subsidies for low-rent housing.

The effect of media coverage was, at a minimum, to cause the attention of public officials to focus on the homeless, among the welter of issues that competed for public recognition. To a large extent, the media agenda became the agenda of public officials. However, media contacts included press releases, personal communications, briefings, and meetings with city officials; and the city government influenced the media agenda. While *New York Times* coverage was urgent, it was sympathetic to the mayor's problems, including the scale of operations and his political opposition. To some extent, the *Times* could help the mayor to build the coalition he needed to expand shelters and permanent housing. Fundamentally, however, media coverage constituted a political liability for city officials. Media visibility increased the political cost of nonintervention. All coverage, sympathetic or confrontational, was implicitly a call for government action and set an expectation of results.

Second, media attention was an important political resource for the policy community active on the homeless issue. Their leadership considered the press a valuable ally and invested time and effort in courting its attention. Robert Hayes, who headed the Coalition for the Homeless, said that he was "educating the fifth generation of *New York Times* reporters."[27] The policy community used the media to communicate their policy recommendations to public officials. Hayes commented, "Our real purpose, though, is to be able to take this and get the *New York Times* to write about how wonderful it is that these 40 families are no longer in the Martinique Hotel, and Look, Governor Cuomo, if you—dope!—raise the welfare allowance by 50 bucks a month for these families, you could get a lot more families out of there! So there's a political edge as usual to this, too." In sum, media publicity offered the policy community a legitimate avenue of communication for educating their audience, including the general public, elected officials, and third parties.

Authoritative Bargaining Arenas

In two respects, the availability of an authoritative bargaining arena may be central to explaining growth of a local public function. First, use of bargaining arenas can facilitate policy change in the intergovernmental system by providing sites where actors can compete for political resources such as authority for programs, money, and jobs.[28] To be effective, bargaining arenas have to be authoritative institutions whose decisions to approve action and commit funds are binding on government policy. Jeffrey Pressman's examples of potentially effective arenas included political parties, interest groups, bureaucracies, the federal poverty programs, and the

[27] *Village Voice*, 28 July 1987, 21–37.

[28] Jeffrey L. Pressman, *Federal Programs and City Politics* (Berkeley: University of California Press, 1975), 14–15, 58, 72–78.

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electoral process. However, another hypothesis can be posed that authoritative bargaining arenas may be just as important to expansion that springs from local policy communities, as Pressman showed they were to implementing national policy downward in the intergovernmental network.

Second, the policy community on the homeless was the weaker party in a conflict with the mayor over expansion of a new social function. While the policy community did have strengths of various sorts, it did not possess the authority to compel public resources for the purposes it advocated. Elmer Schattschneider predicts that in a contest the weaker party will broaden the scope of conflict to involve third parties that possess distinctive powers; the result of third party intervention will be a change in the bias in the status quo.[29]

This analysis conceives of a state judicial system as a potentially effective bargaining arena that can be activated by the weaker party in a dispute. How in New York City did the policy community on the homeless trigger the courts, and what was the impact of the state judiciary on expanding the shelter function?

In October 1979, the Coalition for the Homeless brought a class action law suit in the New York State court system. *Callahan v. Carey* became a seminal case for the decade of litigation that followed.[30] *Callahan* was brought on behalf of homeless men who ate meals at the city-operated Men's Shelter in Manhattan or who received vouchers that were redeemable in hotels or other shelters. The suit charged a critical shortage of beds, as well as conditions that were unhealthy and dangerous in the shelter that was available. Two months later, the court ordered a preliminary injunction. The court held that the New York State Constitution provided for the "aid, care, and support of the needy," and a consent decree was negotiated under the auspices of the court in August 1981. The decree set detailed standards for quality of public shelters and voucher hotels, including limits on capacity, the staff to resident ratio, the size of beds, and services such as laundry, mail, and telephones. The decree also contained a monitoring requirement, which had the city government send reports on shelter conditions to plaintiffs' attorneys.

When the number of homeless women increased sharply and the women's shelters overflowed, litigation recurred. The State court held in *Eldredge v. Koch* in December 1982, that the terms of the Callahan consent decree extended to homeless women on grounds of the equal protection clause.[31]

When numerous homeless families appeared in city shelters and emergency welfare offices, a third class action was filed in 1983 by the Legal Aid Society. The Appellate Division of New York State Supreme Court ruled in *McCain v. Koch* in May 1986 that all homeless families have the legal right to emergency shelter under the New York State Constitution and ordered the city to comply with state

[29] Elmer E. Schattschneider, *The Semi-Sovereign People* (Hinsdale, Ill.: Dryden Press, 1975).
[30] *Callahan v. Carey*, New York County Supreme Court, Index #42582/79.
[31] *Eldredge v. Koch*, 469 N.Y.S.2d 744 (A.D. 1 Dept. 1983).

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regulations on safety and sanitation standards for the shelters.[32] The immediate effect was to bar the city government from letting welfare families spend the night sitting in chairs or lying on countertops at the welfare department's emergency offices.

Although the judiciary tended to support the plaintiffs' arguments, judges were aware of the impact that compliance with court orders would have on the public treasury. The courts were periodically sympathetic to the cost arguments raised by city attorneys. For example, the court was willing to lower the plumbing ratios, and it increased the number of residents per toilet from six to ten, and the number of residents per shower from ten to fifteen. This result, nevertheless, represented a compromise from the city's initial proposed relaxation of standards, which the court branded a "cruel and unacceptable hoax."

Judicial decisions were not, however, automatically self-executing. The plaintiffs remained active in monitoring implementation and triggering enforcement. They obtained orders requiring the city to provide more beds, adhere to standards, and reduce the population of certain shelters. In fact, the perspective of plaintiffs' attorneys was that litigation was not a very efficient avenue for social change. Hayes saw the litigation route as a "last resort," because lawsuits were "slow, god-awful, very ineffective, bull-in-china-shop kind of efforts."[33] Although litigation was their "central tool" and injunctions were their "main objective," Hayes thought litigation for economic rights was only the beginning of a "much longer race."

In summary, the *Callahan*, *Eldredge*, and *McCain* cases were the start of a litigation campaign brought in New York state courts on behalf of the homeless. These suits, as well as others, focused sequentially on homeless subpopulations and obtained a series of court actions over a ten-year period. Leadership of the policy community used the cases as rallying points for an educational campaign aimed at elected officials, the media, and the general public. Lawsuits, Hayes noted, had to stand up not only to judicial scrutiny but also to media scrutiny.

Litigation campaigns, composing a series of cases brought over a decade or more, have been found to be important in explaining expansion of social policy at the national level.[34] Activism of New York State courts on the homeless issue thus mirrored the expansion of judicial responsibility in social policy noted in federal courts over the last three decades.[35] Just as federal courts gradually engaged in general social problem solving, issued decisions with significant budgetary effect, and assumed supervisory responsibilities for the remedies they awarded, New York state courts acted similarly regarding the homeless.

[32] *McCain v. Koch*, 523 N.Y.S.2d 112 (A.D. 1 Dept. 1988).

[33] Robert Hayes, "Litigating on Behalf Of Shelter for the Poor," *Harvard Civil Rights-Civil Liberties Review* 22 (Winter 1987): 79–93.

[34] Jack Greenberg, "Litigation for Social Change: Methods, Limitations and Role in Democracy," *Record of the Association of the Bar of the City of New York* 29 (April 1974): 320–355.

[35] Donald L. Horowitz, *The Courts and Social Policy* (Washington, D.C.: Brookings Institution, 1977).

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Conclusion

This analysis explored how human needs that are generated by inequalities in the mixed economy can become transformed by political conditions into political liabilities that can impel municipal leaders to expand social functions. The investigation tested the roles of multiple political factors in accounting for growth of a public social function in a single site. It assessed the case of expansion of the financing, regulation, and provision of emergency shelters for the homeless in New York City during 1978–1988.

Three major political forces—a policy community advocating on behalf of the homeless, the media agenda, and the state courts acting as authoritative bargaining arenas—were found to have a direct and immediate impact on the decisions by city officials to expand emergency shelters. Their joint effect magnified the political liability of perpetuating the status quo and engendered self-interest in the top elected officials to expand social policy. The case of the homeless in New York City portrayed a conflict model between the local elected executive and the policy community; and the government response can be understood as a result of the development of political liability, which made the cost of action outweigh the cost of inaction.

Growth of the shelter function resulted from confrontation by a new policy community, which was the weaker party in the dispute. The policy community represented the interests of the poor, minorities, and liberal reformers who generally were outside the dominant coalition represented by the top elected official. It therefore could not win policy change through cooptation or incorporation. Also, because shelters required a large magnitude of public funds and because of the retrenchment environment, the policy community had to trigger third parties that possessed resources that it did not. Policy expansion was compelled by a litigation campaign, which won judicial interpretation of the New York State Constitution, and standards for emergency shelters were monitored by the policy community and enforced by state courts over the period of a decade.

Two factors, the political opportunity structure and political culture, were found to have an indirect role. They helped to shape the environment in which political leaders made decisions and set outer limits on the political feasibility of public action. One factor, bureaucratic momentum, had a negligible role in initial expansion of the new function.

The results of this case suggest two models to explain expansion of subnational social functions. In short, an incorporation model could predict expansion when building an electoral coalition requires a mayor to satisfy significant constituencies who demand redistributive policies. Alternatively, a confrontation model would point out that if the dominant coalition excluded liberal reformers, minorities, and the poor, it could still be compelled to expand social functions by a combination of proximate political factors. The most important of these might be the activities of a policy community, the media agenda, and decisions by authoritative

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bargaining arenas, which together can transform inequalities in the mixed economy into political liabilities for the dominant political leadership.

Is this case a pluralist's dream, a success story of the "service-demanders" over the "money-providers?[36] The case does demonstrate the ability of organized, educated groups with access to institutional resources to shift the local status quo to redistribute benefits to the poor. The more important point, however, is that temporary shelters persisted for a decade as the main response to homelessness in lieu of permanent housing. Expansion of the large new shelter function does not signal the permeability of political authority, but rather its sluggish response to major and enduring inequalities in living standards. The need for emergency shelters represented a bottoming out in the floor of social protection. Shelters offered only bedrock protection necessary for survival and were therefore well within the historically acceptable protective functions of the partial U.S. welfare state. The policy community had to seek that minimum because it was from their perspective the best policy they could initially win, given the existing economic and political structure. The courts authorized only shelters, because only emergency social protection was within the current interpreted parameters of New York state law. However, the policy community on the homeless, as well as other observers, have increasingly argued that successful long-term responses to homelessness must also include permanent housing, higher incomes, jobs, social services, day care for children, residential services for people with severe and chronic mental disabilities, and other aid from public and private sectors.[37]

[36] Wallace S. Sayre and Herbert Kaufman, *Governing New York City* (New York: Norton, 1965); 514.

[37] National Academy of Sciences, Committee on Health Care for Homeless People, *Homelessness, Health, and Human Needs* (Washington, D.C.: National Academy Press, 1988); Bruce C. Vladeck et al., *Supplementary Statement on Homelessness, Health, and Human Needs* (New York: United Hospital Fund, 1988).

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Nonprofit Organizations, Government, and the Welfare State

MICHAEL LIPSKY
STEVEN RATHGEB SMITH

Since the early decades of the American republic, nonprofit organizations have played a critical role in helping people in need by providing education, training, residences, counseling, and in-kind and cash support. Moreover, President George Bush has followed Ronald Reagan in calling upon nonprofit agencies to take the leading role in American society in addressing social problems. Their belief in the efficacy of nonprofits (President Bush's "thousand points of light") combined with the current political and financial constraints on government spending, suggests an even larger service role for nonprofit organizations in the future.

Nonprofit organizations invoke the images of community, voluntarism, civic dependability, and neighbor-helping-neighbor that have always exerted a powerful impression on American public consciousness.[1] However, largely as a result of this expanded role in providing services for government, these images are at variance with the contemporary reality of nonprofit service organizations. Rather than depending mostly on private charity and volunteers, most nonprofit service organizations depend on government for over half of their revenues; for many small agencies, government support comprises their entire budget. In contrast to the

[1] Robert N. Bellah et al., *Habits of the Heart* (New York: Harper and Row, 1985).

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traditional relationship of two independent sectors, the new relationship between government and nonprofits amounts to one of mutual dependence that is financial as well as technical; increasingly, the lines between public and private are blurred. For instance, a recent survey of the Child Welfare League of America concluded that government support comprised, on average, 59 percent of their member agency revenue in 1986.[2] On the other hand, government relies on nonprofits to provide social services. In 1988, fifteen Massachusetts state agencies were budgeted to spend over $750 million, about 7 percent of the state budget, to purchase from over 1,200 contractors such services as alcoholism rehabilitation, family crisis intervention, English-as-a-second-language, and daycare. Overall, the state recognizes 200 distinct types of social services in its purchase-of-service system.[3] Until recently, our understanding of the development of the welfare state in advanced industrial countries assumed that the hallmark of a progressive welfare state was a large public sector that relegated the private sector to a small residual role. In this view, the United States with its smaller public sector and larger private nonprofit sector compared unfavorably. The expansion of government contracting with nonprofit agencies calls the prevailing view into question. In the recent period, government has used nonprofit agencies to expand the boundaries of the welfare state in the United States in a host of service categories—from child abuse to domestic violence to homelessness. The result is a welfare state that is more expansive than would be the case if policy makers relied solely on the public sector.

It is also a welfare state that has compromised some of the values that the private voluntary sector contributes to social welfare provision. These values include the variety, independence, and legitimacy of community-based agencies, and the capacity of such agencies to pursue distribution policies that tolerate responsiveness to clients over equity among clients if the two values conflict.

Broadly speaking, we reach the following conclusions about the effects of government spending in nonprofit organizations and public policy. As government funding of nonprofit organizations grows, the pressures on government officials to maintain accountability over public funds increases as well. Over time, government officials respond to increased reliance on private agencies by instituting new regulations, changing contract requirements, and increasing administrative oversight. The effect is to shift the organizational norms of nonprofit agencies from their historical emphasis on being responsive to the individual to focusing more on treating all clients alike, an orientation that bears resemblance to that of government service agencies. This shift is particularly noticeable in the areas of staffing, client selection and treatment, and physical plant. Thus, government may require nonprofit agencies to hire professional staff as a condition of receiving a contract.

[2] Karin E. Malm and Penelope L. Maza, *Sources of Agency Income* (Washington, D.C.: Child Welfare League of America, 1988).

[3] Massachusetts Senate Committee on Ways and Means, *Purchase of Service: Protecting the Promise of Commmunity-Based Care* (Boston: Senate Committee on Ways and Means, 1986), 2-3. Funding for state government contracts with private nonprofit agencies is from both state and federal sources.

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Or government may force a contract agency to accept only client referrals from government bureaus, rather than allowing contract agencies to have the flexibility to respond to all clients in need who present themselves to the agency. Government may also require a contract agency to modify its physical plant in order to meet official standards on public safety and health. We will argue that government funding of nonprofit agencies transforms the management of contract agencies and the politics surrounding social service expenditure.

In sum, government spending of nonprofit agencies should not be viewed simply as "privatization," if this term means reducing or minimizing government involvement in policy matters by turning over responsibility to private agencies and providing them with additional funds. Rather, the new public-private funding arrangement means increased government intrusion into the affairs of nonprofit agencies, thereby altering the character of social policy and the American welfare state.

Our views are based upon systematic research on the development and growth of government funding of nonprofit agencies in Massachusetts, supplemented with research in Connecticut, New Hampshire, and Rhode Island. In addition, thirty case studies of nonprofit service agencies were conducted to assay the effects of government funding on these agencies and social policy in general. Our findings are also based upon previous research conducted for other purposes on food banks, shelters for the homeless and battered women, and rape crisis centers.[4] Further, we have drawn on our experiences as members of the boards of directors of several nonprofit service agencies.

The Growth and Scope of the Nonprofit Service Sector

Government support of nonprofit service agencies has expanded dramatically in the last twenty years.[5] Over 50 percent of federal social service expenditures is now devoted to nonprofit organizations; virtually none went to such sources in 1960. Advances in daycare, sheltering, counseling, employment training, and protection from child abuse and neglect have all proceeded through government contracting with nonprofit service agencies. Thus, for example, when the problems of homelessness and hunger have arisen, the predominant response of government has been

[4] Steven Rathgeb Smith, *Government, Nonprofit Agencies and the Welfare State*, unpublished doctoral diss., Department of Political Science, Massachusetts Institute of Technology, 1988; Steven Rathgeb Smith and Susan Freinkel, *Adjusting the Balance: Federal Policy and Victim Services* (Westport, Conn.: Greenwood Press, 1988); Michael Lipsky and Marc A. Thibodeau, "Feeding the Hungry with Surplus Commodities," *Political Science Quarterly* 103 (Summer 1988): 223–244.

[5] See Pacific Consultants, *Title XX Purchase of Service: A Description of States' Delivery and Management Practices*, vol. 1 (Berkeley, Calif: Pacific Consultants, 1979); Bill Benton et al., *Social Services Legislation vs. State Implementation* (Washington, D.C.: The Urban Institute, 1978), 110; Ruth Hoogland DeHoog, *Contracting Out for Human Services: Economic, Political, and Organizational Perspectives* (Albany: State University of New York Press, 1984), 43–46; Edward T. Weaver, *Implications of Alternative Choices to Purchase or Direct Delivery Selected Title XX Social Services*, unpublished doctoral diss., School of Public Administration, University of Sourthern California, May 1985.

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to launch programs through nonprofit agencies. In many states, nonprofit organizations under contract to government deliver the publicly-funded services in categories such as daycare, foster care, protective services for children and adults, and community programs for the mentally ill and developmentally disabled.

Government purchase of social services affects vast numbers of people. A 1986 study of the nonprofit sector in St. Louis indicated that there were over 2,500 nonprofit service organizations in the metropolitan St. Louis area. Eighty-five thousand people, or 7 percent of the local work force, were employed in these agencies.[6] In 1982, over 4 million people worked nationwide for private nonprofit health, social, and legal service organizations.[7] It is undoubtedly fair to say that most of these people worked for agencies whose incomes in part reflected contract revenues. In Massachusetts, service providers to government under contract employed roughly 48,000 persons,[8] a number that compares favorably with the number of state workers involved in human services.[9] Social service agencies funded by government call upon armies of volunteers to supplement the ranks of workers and provide direction through their boards of directors. The survey of St. Louis area residents revealed that almost half of the adult population (45 percent) of the region's 900,000 adults volunteered at least once during the year in support of area organizations.[10]

The clients of nonprofit agencies make up the most important constituency of these organizations from a social services point of view. Every United Way campaign heralds the numbers of needy people its agencies serve. The report of the American Public Welfare Association that 633,000 individuals in twenty-three states received services under the U.S. government's Social Service Block Grant in 1988 undoubtedly understates by a considerable margin the numbers in these states served by all the agencies with some public funding.[11]

Until the 1960s, most nonprofit service organizations relied upon fees, donations, and in some cases endowment income for revenue. Government funding

[6] Metropolitan Association for Philanthropy and United Way of Greater St. Louis, *Philanthropy in Greater St. Louis*, 6.

[7] Gabriel Rudney, "The Scope and Dimensions of Nonprofit Activity" in Walter W. Powell, ed., *The Nonprofit Sector: A Research Handbook*, (New Haven: Yale University Press, 1987), 57.

[8] Massachusetts Council of Human Service Providers, *Confronting Effectiveness: Social Investment in Massachusetts*, advance report, May 1988, 10.

[9] These figures provide a sense of the scope of the contracting phenomenon, but they must be interpreted cautiously, because often there is no equivalence between the scope of nonprofit agencies' activities and those activities for which government purchases services. Consider the hypothetical case of a rehabilitation center of twenty beds employing fifty people for which government pays for half the beds and the rest are supported from other sources. The government contract supports the work of all the staff, and from that point of view fifty people are affected in their work by the contract. Yet, strictly speaking, it is possible that only twenty-five are paid for under the contract.

[10] *Philanthropy in Greater St. Louis*, 6.

[11] American Public Welfare Association (APWA), *A Statistical Summary of the Voluntary Cooperative Information System (VCIS) Social Services Block Grant (SSBG) Data for FY 1985* (Washington, D.C.: APWA, 1988), 12.

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tended to be restricted to a few service categories and was generally small-scale relative to total agency revenues. Only in selected urban areas such as New York City was government funding extensive. Typically, these public funds would be used to purchase services for a child or adult when there was popular support for service provision (for example, residential care for emotionally disturbed children) but no government capacity to provide a particular service. In these cases, government rarely made extensive demands on the private agencies, relying on the judgment of the agencies' administrators on important issues such as treatment and discharge.

The substantial growth of government support of nonprofit agencies has raised the concern of many observers that government funding would have harmful effects on the independence and overall missions of nonprofits and on their viability as autonomous, community-based agencies. The concern is not simply of academic interest. Virtually every American is likely to have contact with a nonprofit service organization during any given year—whether it is a hospital, a community mental health clinic, a family service agency, or a nursing home, to name just a few of the possibilities. These organizations serve as intermediate institutions between the individual and the state, providing a vital link for the citizen and helping to shape citizens' views of themselves and their places in society. To the extent that government extends its influence into the world of nonprofit organizations, it is likely to alter the relationship between the citizenry, nonprofit organizations, and the state—perhaps fundamentally changing the life possibilities of citizens and the role of their community organizations.

Three Types of Nonprofit Agencies

Before developing our analysis we need to make some important distinctions that recognize the diversity of nonprofit service organizations. Keeping the diversity of organizations in mind should help us avoid analytic difficulties encountered by earlier critics who tried to assess the impact of contracting on the nonprofit sector *in general*, without seeing that some kind of nonprofit organizations might be severely affected, while others might be unaffected.

One type is the traditional social service agency, the old-line service association such as the Massachusetts Society for the Prevention of Cruelty to Children, which was established in 1878. Founded by affluent civic leaders, these agencies typically were established many decades before the New Deal. They usually have endowments (sometimes very substantial ones), and therefore tend to be less dependent on government funds than other agencies. Often they offer many different services and programs and thus are also less dependent than other agencies on demand for any single service.

A second type of nonprofit social service organization is the agency founded within the last twenty years directly in response to the availability of government funds for job training, mental health, and other services. An example is the Key Program, a large youth services agency established in Boston in 1973 to provide

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community and residential services for delinquent youth. These agencies usually derive most of their revenues from government. Often they were established by social activists who used government funds to create an organization dedicated to addressing their version of social reform.

A third type of organization is the agency founded in response to unmet neighborhood or other community needs. These may be organizations devoted to solving problems experienced as local concerns, such as homelessness, hunger, or runaway youth. Or they may be established to solve problems for communities of people who are less identifiable by geography than by some other characteristic, such as shelters for battered women, respite care for the developmentally disabled, or hospices for victims of AIDS. These organizations tend to be started and staffed by volunteers or underpaid workers out of strong personal commitments to alleviate the suffering their organizations address, or to help other people realize their potential that is otherwise thwarted by social conditions. Particularly at their start, they are typically shoestring operations built on shaky financial grounds.

Seen from the perspective of their relationship to government these three types of organizations form a kind of continuum: At one pole, there are the new community-based organizations that tend to act most like volunteer associations—non-bureaucratic and held together by the freely given commitments of their members. At the other pole, there are the organizations founded in response to the availability of government funds. These tend to be rulebound, concerned with consistency, and highly responsive to the priorities of the government agencies whose grant programs were the occasion for their establishment and development in the first place. These distinctions are important, because they suggest that different types of nonprofits are affected by government funding priorities in different ways. The most pronounced shifts and the greatest conflicts with government occur among those agencies that initially resemble government least. In contrast, where nonprofit agencies arise directly in response to the availability of public funds, the impact of contracting is less pronounced, if only for the reason that such agencies have at their inception conformed to government contracting expectations. For all these agencies, however, some degree of change is virtually inevitable as government contracting increases. As we shall see during the course of this analysis, government contracts eventually create difficult organizational dilemmas for nonprofit organizations. While contracts may allow an agency to expand services, pay their staff better salaries, and move into new service areas, contracts bring administrative and accountability demands that may conflict with an agency's mission.

The Imperatives of Service Organizations

Public and private service organizations share many characteristics: the need to process clients through systems of eligibility and treatment, to field a staff, to be effective, and to account for financial expenditures. Also, they are expected to pursue a similar range of objectives. They are expected to be fair (equitable); to accom-

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modate likely and unanticipated complexities (responsive); to protect the interests of sponsors in minimizing costs (efficient); to be true to their mandated purposes (accountable); and to be honest (maintain fiscal integrity).

Simultaneous pursuit of a handful of objectives, however, means that the objectives are likely to come into conflict with one another. Adherence to rules may insure equity, for example, but may be pursued at the expense of responsiveness. A guidance counselor may be fair in allocating to each advisee exactly the same amount of time, for example, but his formula would surely be counterproductive if some students needed little help and others needed special attention.

Modern governments must use universalistic criteria in client selection or develop elaborate rationales for favoring one group over another. In contrast, the different emphases of nonprofit agencies allow some nonprofit organizations to pick and choose their clients on the basis of some group characteristics, such as place of residence or ethnic background. They also allow "creaming" to a greater degree – for example, screening out clients with the lowest educational levels, severe mental illness, or in the case of private schools, children with handicaps who are disruptive or costly to serve. Such screening is rationalized as appropriate to the focused mission of the organization and because these excluded or hardest-to-reach clients are deemed to be the responsibility of the public sector.

However, government service agencies are not free from bias in client selection and treatment either, although such practices are generally unsanctioned. Workers in government agencies often discriminate against the poor through efforts to control the demand for services, despite the official policy of their agencies to serve everyone in need.[12]

In sum, nonprofit and government service organizations should not be analyzed as radically different in their approaches to clients. Rather, they should be understood as sharing the same organizational service norms, although in different measures. To understand the effects of government contracting out to nonprofit organizations, we must start with an appreciation of the different weights that governmental and nonprofit agencies accord to organizational imperatives.

Equity and Responsiveness in Government and Nonprofits

In the distribution of social policy benefits, government is overwhelmingly driven by concerns of equity. So long as scarcity of resources requires government to make choices among claimants, policy makers will seek to impose norms of equity or at least give the appearance of fairness in resource distribution. Public officials require a rationale for public action that legitimizes the fact that in the use of public resources some will be helped and others not.

Government requires not only unambiguous eligibility criteria, but also unambiguous indicators that people meet those criteria. Even if eligibility categories

[12] See Michael Lipsky, *Street Level Bureaucracy* (New York: Russell Sage, 1980), chap. 8.

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are clear, proof in meeting those standards must be unambiguous if benefit distributions are to be fair.[13] Unambiguous indicators include age (over 65 in social security, 3 to 21 in special education) and prior government service (for example, veterans status). Slightly more ambiguous, but still able to meet the appearance of fairness, are indicators of income and assets.

Government, to be sure, also pays attention to responsiveness. But even in some concerns over responsiveness, the primacy of equity is illustrated in the ways in which policies designed to be responsive historically have been structured to conform to norms of equity. Consider, for example, public welfare payment rules that attempt to respond to unique family circumstances and differences in work-related expenses, housing costs, and assets. To achieve responsiveness within the strictures of equity, welfare agencies have developed policies that recognize differences but are articulated in increasingly elaborate formal rules.

Nonprofit service agencies weigh equity and responsiveness differently from government. The traditional nonprofit organizations were distinguished from providers of public benefits precisely because they were particular in their choice of clients. We are reminded of this particularism by the names of many of these agencies that have come down through the years: the Catholic Charitable Bureau and the Jewish Family and Children's Bureau in Boston, for example.

Consistent with this particularism, nonprofit agencies are less concerned than government in serving all clients within a specific target group. Instead, nonprofits focus on serving clients compatible with the agency's service mission. For example, shelters for battered women tend to conceptualize their role as offering an important service alternative to traditional health and welfare organizations for some women. Government, in contrast, prefers that all agencies providing counseling service to abused women provide similar service so that a minimum standard of equivalent care should prevail across all agencies. Furthermore, there is much less need for independent verification and much more trust of clients' testimony in private nonprofit agencies than in government. Nonprofit agencies consequently invite criticism from government officials that service is being provided inefficiently or inequitably.

These general tendencies of nonprofit agencies lead to two different responses to clients that sometimes lead to conflicts with government agencies. First, if people say they are hungry, or homeless, or recently assaulted and fearful for their safety, nonprofit organizations are inclined to accept such testimony as sufficient. Government officials upholding the equity requirement cannot tolerate such an accepting attitude.

To be sure, nonprofit organizations recognize potential problems arising out of a generous intake policy. If challenged, nonprofit organizations deal in several

[13] It is no good to have clearly defined eligibility slots if evidentiary standards are slack. A residency requirement only works to insure equity among service recipients if proof of residency is required, standards of proof elaborated (a lease, an identification card, a postmarked letter), and the requirements enforced.

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ways with the possibility that some people will take advantage or become "freeloaders." First, they may acknowledge that there are costs to increasing the accuracy of program targeting, but calculate that they will accept a small degree of "advantage-taking" because the cost of reducing advantage-taking would be too high in organizational effort and morale. Second, they may defend their policies by pointing to the rationing impact on clients of certain barriers to seeking aid. Entry into the orbit of a homeless shelter, for example, may mean losing privacy, agreeing to accept counseling, taking a make-work job, giving up one's weapon, or exposing oneself to a religious message. Third, they may act to reduce the accessibility of services by raising the eligibility threshhold for those who would take unfair advantage, or even by cutting back services if too many untargeted clients begin to appear. Rather than directly confront clients who seemed to be freeloaders, for example, a mobile van feeding the homeless in Boston simply moved to a new location when too many people who did not appear to be homeless (although they may have been hungry) began to line up for a free meal.

A second response of nonprofit agencies to clients is to reject clients deemed incompatible with their service mission or restrict their intake to clients within their primary mission area. The former may lead to creaming, with the very poor or severely disabled referred to other programs. The latter may lead to a focus on a specific community (for example, co-religionists), though citizens in other communities may need service. Either situation can lead to charges by government officials that nonprofit agencies are not providing service to the "neediest" clients, who unambiguously are deemed "deserving."

Explaining the Primacy of Responsiveness

The primacy of responsiveness over equity in private, nonprofit agencies follows from their origins, the people who work for them, and their structure of accountability. Many nonprofit social service providers tend to be neighborhood or community based. Workers or volunteers in these agencies are more likely than government workers to know individual clients, their families, and their circumstances. Moreover, it is a strength of such organizations that their workers are presumed to be interested in claimants as individuals, even if they do not actually know them. For example, a shelter for battered women may be staffed by other women who empathize with the victims' plights and want to make them feel safe through personal contacts. Thus they are inclined to know people seeking help in a holistic way. Unlike government administrators of rulebound eligibility standards, providers in private service agencies resist reducing clients to their bureaucratically relevant characteristics.

Supporting these propositions is the voluntary nature of personnel in nonprofit organizations. When workers cannot be presumed to be motivated by bureaucratic incentives, other mechanisms to insure worker conformity to organizational tasks must operate. Such mechanisms include providing workers with a sense of well-

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being derived from valuing their work and convincing them of its importance, and supporting workers' desire to give expression to altruistic impulses. It also means that if the organization depends upon them for labor, volunteers and workers who are not primarily motivated by income considerations have a certain power in the organization. (It also follows that as agencies "outgrow" their dependence on volunteers, they will not have to cater so much to their implicit demands.)

Voluntarism in nonprofit agencies takes many forms. The newer agencies are often founded by social activists, sometimes based in religious communities, who are committed to solving certain social problems, sometimes at great personal sacrifice. They may receive no pay for their efforts and work unusually long hours. Many shelters for battered women, for example, were founded by volunteer women who had a particular vision of addressing the problem of spouse abuse.

Aside from agency founders, social service agencies are often staffed by volunteers (possibly former clients) whose work is given at least in part in exchange for the feeling of well-being they get from helping in the organization. For some who work in nonprofit organizations the transactions between providers and clients themselves may be the point of their involvement in work that otherwise seems hopeless. People volunteer or work for low pay in drug treatment storefronts, foodbanks, and legal advice centers not because they expect fully to solve the problems these agencies address, but because they find altruistic behavior rewarding.

In the more established agencies, professional staff members often work for low salaries by comparison to what they could earn in government or elsewhere. In Massachusetts, for example, salary disparities between the private and the public sector for direct care positions are said to range from 12 to 29 percent. Thus many workers in nonprofit agencies must be considered at least in part volunteers, who take at least some of their compensation in non-monetary form.[14]

In addition, emergency services are likely to be governed by volunteer boards consisting of community activists or leaders playing traditional civic roles as supporters of nonprofit agencies. Such people may be relatively single-minded in their willingness to pursue the interest of their organization's clients without regard for competing organizational interests. Board members of traditional agencies, for example, in the past regularly permitted their organizations to make up deficits by spending the endowment, believing that they were trustees for needs that had to be met. They were also surprisingly tolerant of management that incurred annual losses. Board members of younger agencies may have come out of a social movement environment in which they too, perhaps even more aggressively, may be willing to support their agencies in pursuing responsive client policies.

[14] The gaps in salaries between public and private workers is a matter of growing concern within the nonprofit community. In Massachusetts, this concern has led to ongoing political action to gain legislative approval for salary upgrading to correct disparities. See "More Salary Upgrading Issues," *The Provider* 8 (June 1987): 5.

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Significance of Difference between Government and Nonprofits

Several corollaries that find their way into actual practice follow from these differences in orientations between government and private, nonprofit agencies. First, in contrast to government, nonprofit agencies are more tolerant of client selection procedures that are not based upon rigid standards of equity—both in client selection by staff and client self-selection. Nonprofit organizations are more willing to say that they can help some people and not others. Private agencies are also more comfortable with self-selection. They act as if first-come, first-served is an adequate decision rule when resources are scarce and need is great. If they apply rationing mechanisms to discourage people who perhaps are less needy, the mechanisms tend to be advisory rather than definitive.

Second, nonprofit agencies strive to be responsive to individual clients, even at the expense of other policy objectives. Government agencies, though, try to spread resources evenly over affected populations. For example, many child welfare advocates have complained over the years that the long-term involvement of some nonprofit agencies with their clients led to inappropriate, excessive treatment of many children, both in residential centers and foster care. It also meant that there were fewer resources available to a burgeoning client population. In the 1980s, government control of the purse strings and a reaction against long-term treatment has produced new policies aimed at limiting the length of time children spend in residential centers and foster care.

Third, public and private agencies to a degree are both likely to define agency clients in terms of their ability to be effective with them. But government agencies are more likely to define the scope of the client population primarily to achieve greater consistency with equity, rather than the ability of the agency to be effective. This tendency is noticeable in at least two distinct instances.

In one instance, government will define unrealistically large catchment areas that, while providing formal "coverage" for all, cannot because of distances reasonably serve many of the people in the areas. This situation commonly occurs with homeless shelters, mental health services, and food distribution centers in many rural and other underserved areas.

In another instance, government will seek to narrow eligibility criteria, for example, by lowering income limits or imposing more severe distress requirements in order to be able to serve a greater proportion of those people in the pool. Thus, government will appear to assist a larger proportion of those clients defined as eligible to receive assistance under the policy.

By contrast, nonprofit agencies are more likely than government to prefer a relatively large pool of potential clients, primarily because the pool allows a nonprofit agency to manage its client selection process in a way that is consistent with its sense of mission. Thus, a large pool of potential clients for shelters for battered women means that the shelters will be able to serve women deemed responsive to their particular treatment orientation. And shelters will be in a stronger position to reject individuals who may be perceived as potentially disruptive. This situ-

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ation is particularly true of various residential programs: group care for children, emergency shelters for adolescents, and shelters for battered women and the homeless. There is also a financial consideration involved in the preference for a large client pool. Since most nonprofit agencies are of modest size and severely undercapitalized, a small pool of potential clients may be insufficient to guarantee a steady stream of clients—and hence revenue—into the agency, producing major financial and organizational strains on the agency.

The differences between government and nonprofit agencies regarding the appropriate size of a nonprofit agency's client pool is evident in the recent political conflict over participation in the Women, Infants and Children Supplemental Nutrition Program (WIC). Federal officials have strived to target aid to the poorest and most distressed women and children; nonprofit WIC distributors have wanted to retain a more expansive definition of eligibility. It is also evident in the assignment of public daycare slots to welfare recipients. In the program to distribute surplus agricultural products to the hungry, federal officials sought to persuade states to restrict eligibility to families with lower incomes so that a higher proportion of eligibles would receive free cheese and butter.

There are important political considerations in conflicts over the size of the client pool. If one's objectives include maintaining pressure on public authorities to act more vigorously with respect to a target population, it makes sense to support an expansive conception of the needy group. The larger the numbers of people who cannot receive help from a program for which they qualify, the more pressing the claim that not enough resources are being applied to a recognized problem, particularly if need cannot strictly be defined by income. This is why it is disingenuous for public officials to maintain that their interest in restricting eligibility to the "truly needy" in any program is based solely on their desire for more effective targeting. To limit program eligibility criteria is simultaneously to reduce political pressures to expand program resources to meet the need.

Growth of Government Contracting with Nonprofit Agencies

Despite the differences in organizational norms between government and the nonprofit sector, government officials are utilizing nonprofit agencies to deliver public services at an unprecedented rate. Let us now take a brief look at the advantages public officials believe accrue to government that may attract them to contracting with nonprofit agencies. These reasons have varied in importance to public officials over the period that contracting has been ascendant.

First, government agencies can respond to emerging service needs more quickly and effectively by contracting than by mounting new efforts utilizing public employees and public agencies. Second, public officials can purchase specialized services that would be difficult to find or develop within government ranks. Third, by using nonprofit agencies, public officials recognize that they can change program direction with relative impunity and can cut back on services more easily

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than they could if public employees were involved. Fourth, government agencies can take advantage of the legitimacy already won for program initiatives of private organizations while avoiding the political costs that would be associated with attempting to usurp their role. Fifth, in contracting, government shifts the political and financial risks of providing service at least in part onto the nonprofit sector.

Beyond these pragmatic reasons for encouraging contracting, other motives for contracting appear to operate as well. In particular, contracting for services is viewed by some analysts as a way to shift resources and responsibilities to the private sector, thereby reducing the role of government in public policy and halting the postwar rise in government's size and influence. This would be accomplished because of two additional advantages often thought to accompany contracting.

Sixth, government will save money, because competition among agencies bidding for government contracts will result in efficiencies spurred by competition. Finally, government will save money because nonprofit contractors tend to pay lower wages and employ volunteers, allowing government to contract at low prices. As a result of these aspects of contracting, many analysts believe a new dynamic will arise in which public services will be sustained at a high level of quality by competition in the private market.[15]

This view is in error. It is based upon a model of independent buyers and sellers, when in reality the world of government and service providers is one of mutual dependency. It is faulty because it is inherently difficult to hold human service providers acccountable for the quality of performance outcomes. Hence, improvements in service quality and increased savings while holding quality constant are unlikely to be achieved in contracting for human services.

Moreover, this view neglects recognition of the political interests that form around government's new way of doing business and the new clients of government (the nonprofits) that are created by contracting activities and are thus in a position to make demands. Contracting is not simply an administrative procedure that changes the mode of service delivery from public to nonprofit (or for profit). Rather, it fundamentally alters the politics of public service delivery. Over time this new politics brings issues of equity and of community autonomy to the fore.

Consequences for Nonprofit Service Organizations

Critics of government contracting often express concern that nonprofits may compromise their original service mission in the process of responding to government priorities.[16] However, it should be noted that government contracting requirements

[15] Many public choice economists subscribe to this view. Their arguments are reviewed by DeHoog, *Contracting Out*, 7. Also see Peter F. Drucker, *The Age of Discontinuity* (New York: Harper & Row, 1969), chap. 10.

[16] See Nathan Glazer, "Towards a Self-Service Society," *The Public Interest* 70 (Winter 1983): 63–90. This view is disputed by, among others, Ralph M, Kramer, "Voluntary Agencies and Personal Social Services" in Powell, ed., *The Nonprofit Sector*, 240–257.

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may alter nonprofit agencies' approaches to services and clients, even if their goals are entirely compatible with those of government. In essence, they may be forced to conform to standards imposed by contracting policy at the expense of their homegrown notions of what constitutes effective service delivery.

In the following section we discuss the trade-offs between government demands for accountability and nonprofits' conceptions of effective services in terms of three areas: staffing, clientele and program, and facilities. Two caveats apply to these generalizations. First, the extent to which nonprofits will find government accountability demands onerous is likely to vary, depending upon whether the agencies had previously been independent of government influence, as suggested above in our discussion of three types of nonprofit agencies. Second, while we focus discussion on conflicts between governmental and private conceptions of service, we do not mean to imply that the contracting parties are invariably in conflict or always troubled by differences in perspectives. Our article is intended to highlight inherent conflicts under contracting difficulties and the places where differences in perspective are most likely to result in compromising requirements for the nonprofit sector.

Staffing. The people who arise to establish and direct community organizations are often not the people government officials regard as most appropriate to lead the organizations with which they contract. For example, shelters for battered women and rape crisis centers, developed and directed by nonprofessional feminist activists, have been encouraged and sometimes required to hire human service professionals as a condition of funding. Public officials have considered the founders of the shelters too ideologically oriented and insufficiently trained to meet what they regard as the therapeutic and coping needs of shelter clients. Emergency housing shelters also have been pressured to add (and have sometimes welcomed) social workers to their staffs.

If these examples illustrate government concerns over accountability, other staffing requirements demonstrate the press of efficiency considerations. In recent years, many mental health centers, job-training programs, and child welfare services have been forced to lay off professional staff as state and federal officials reduced funding support.

At times these reductions were required simply because of insufficient government funds. However, government officials also have forced layoffs because they charge that nonprofit agencies did not need as many staff members to provide quality service. For example, a traditional child welfare agency had obtained a government contract in the 1970s to provide protective services. In the early 1980s, state officials gave the agency the choice of either terminating the contract or reducing the degree of its staff's involvement with clients. The agency decided to give up the contract and has struggled financially ever since. Other agencies subjected to the same pressures accepted the state's conditions and changed their service profiles.

In the requirement to hire social workers or psychologists, staff upgrading results.

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In the case of staff layoffs, deprofessionalization occurs, as workers are less able to use their own judgment in responding to clients' needs. Both cases illustrate the imposition of governmentally-derived requirements on private nonprofit agencies. They also highlight that government is interested in obtaining minimum standards of care: in the case of new agencies, such as shelters established through nonprofessional auspices, government seeks to establish minimum care standards through professionalization; in traditional agencies with high levels of professional care, government concern with higher productivity leads to a reduction in professional standards.

Clientele and Program. One way in which these pressures for equity and accountability are particularly felt is in government's concern over the apparent open-endedness of enrollment in some community services. Government agencies are likely to pressure emergency service providers to establish or clarify and elaborate eligibility standards; to establish or improve and enforce eligibility verification and enforcement; to restrict the amount of service any single recipient can obtain.

These propositions can be illustrated with reference to the federal surplus-commodity distribution program. In 1982, when the program was just getting started, it emphasized giving away as much food as possible through networks of private agencies, which first had to be located and then persuaded to participate. However, when the program was cut back sharply a year later in response to food retailers' complaints that the program was hurting their sales, the federal Food and Nutrition Service (FNS) began to worry that the mismatch between the number of people eligible to receive food and the amount of food available would become too great. Accordingly, it promulgated regulations that required states to establish more precise and restrictive eligibility guidelines, and it started procedures to insure that those guidelines were being followed. The FNS later proposed regulations that would further tighten the loose verification procedures of the food banks and soup kitchens.

It is evident that in developing policy for nonprofit contractors, governments often see the contract for services as a resource by which it can achieve ancillary service goals. Government seeks not only to provide services in general, but to improve its performance in other aspects of its activities. Thus, the Massachusetts Department of Social Services (DSS) reduced the number of contracts that permitted agencies to take referrals from any source (known as open referral contracts) and instead required the agencies to take referrals only from DSS staff (known as closed referrals contracts). The state did the same with its daycare slots to support its employment and training programs for welfare recipients; and it restricted the use of some of its subsidized housing vouchers to support its policies to reduce homelessness.

In the interest of equity, government standards push nonprofit agencies to broaden their client mix. Thus, battered women's shelters have been required to expand their catchment areas and to take clients from different racial and ethnic communities. A community agency in Boston that was established to serve a pre-

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dominantly Hispanic community in the early 1970s now serves clients from the entire Boston area.

Increasingly, government also imposes various limitations on the actual treatment provided by a contract agency. Battered women's shelters have been required to limit the amount of time women can stay in the shelters, although the shelters prefer to allow women to stay until they are deemed able to act independently.

Similar pressures are felt by old-line agencies whose traditional policies and practice of family social service encouraged working with the family until it was judged to be stable and well or well-enough adjusted. Government contracts, however, require the agencies to limit (say, to a year) the amount of time any single family receives counseling from a caseworker. While this shift prevents gross disparities in length of treatment, it also constrains treatment discretion by limiting the opportunity for long-term treatment for clients who need it.

Some of the same strain is currently experienced by emergency housing shelters, which must agree to maximum-stay limits when they contract with government. Here, however, there is generally agreement between government and providers that every effort should be made to limit the extent to which guests come to depend upon shelters as permanent refuges.

Finally, government applies the equity standard that the neediest should be served first to a host of nonprofit services including group care for children, emergency shelter programs for adolescents, and counseling. The result is that these agencies are now serving an increasingly disturbed client population that requires intensive service intervention. For emergency youth shelter programs, for example, this shift represents a sharp break from the founding vision of these organizations as vehicles for early treatment and prevention in a non-threatening supportive environment. In the case of counseling for children and their families, many nonprofit agencies that began to provide services under contract in the 1970s served children and families who could be described as experiencing adjustment problems. In recent years, however, these contracts have been restructured to emphasize protective services for abused and neglected children—a high priority for state government and a more profoundly needy group.

In general, government pressures toward accountability in admission to the rolls and equity in distribution will be more evident under some conditions than others. If government is paying on a per capita basis, as is the case, for example, in job training and some emergency services, government is more likely to make demands for careful scrutiny of the rolls than if it is contracting with agencies for blocks of service. Further, if quasi-objective indicators of need are utilized, such as income or participation in other government programs, government can demand accountability from agencies overseeing eligibility standards.

Facilities. Community-based services are often located in unlikely places. Although sometimes they are housed in multiservice neighborhood centers with good facilities, they are also found in church basements, dilapidated storefronts, and even private homes. Government funding is often accompanied by demands to

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upgrade the quality and extensiveness of the facilities. These demands range from fire code compliance to greater scrutiny over cooking and washing facilities, and more space per client.

In themselves, government demands on facilities often have some validity. But they also skew the allocation of private resources by creating absolute requirements for some concerns (which usually can be articulated quantitatively), while leaving other program components to be satisfied with what is left over. A shelter that is required to remodel its kitchen may not be able to buy the used van it considers critical to help homeless residents search for housing. If a program must hire a clinical psychologist as director at $30,000, it may not be able to hire more night staff.

In some cases, service organizations may be required to invest in facilities that they would not otherwise develop, although they have no promise of reimbursement. Residential treatment programs may remodel facilities only to find themselves stuck with them if the program is closed down or their contracts are not renewed. Small food banks and community action agencies have obligated themselves or used fundraising resources to obtain trucks, freezers, and other food storage facilities in order to serve their constituents. Yet, community action agencies are not otherwise in the emergency feeding business.

The Politics of Contracting Out

We have suggested that among their organizational objectives governments will give high priority to norms of equity. They will also emphasize accountability. Government agencies must adhere to legislative and administrative mandates across their jurisdictions. Most straightforwardly, they do so to insure that the public receives the services for which it is paying. They also do so to achieve at least two other objectives. They must provide the same service throughout their jurisdiction to meet equity needs. And they must (in theory, at least) protect the objects of their attention by intervening responsibly (as responsibility is defined in legislation or administrative action). To achieve accountability among contractors, government routinely will seek to set standards to protect citizens from harm delivered through their agents (insuring, for example, that teachers are qualified or that there are adequate sanitary facilities in daycare centers).

However, when contracting with nonprofit agencies began to grow significantly in the late 1960s and 1970s, government officials faced many impediments to imposing norms of equity on nonprofit contract agencies.

- Government contract administrators tended to be inexperienced and lacked adequate financial and personnel resources.
- Many nonprofit agencies, especially the established traditional agencies, possessed monopoly power within their service area; thus government officials were in a weak position to demand that these agencies alter their admission or treatment practices.

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- Federal funding for contracted services was rising. Consequently, government officials were not required to address politically difficult choices of client and service priorities.
- In part because of the nature of many of the contracted services, government officials lacked adequate information on their contracted programs.
- Initially, government officials emphasized quick program start-up and tended to place on the back burner issues of program accountability and management.

In addition, at least in some cases, government officials may have wanted deliberately to avoid facing issues of equity and program targeting. In using nonprofit agencies under contract, the fragmented, diffuse character of the network of nonprofit agencies could obscure aggregate client and service trends among public clients served by nonprofit agencies. In a related vein, public officials may have wanted to shift the risk of addressing a particular social problem from government to the nonprofit sector. This has been particularly evident within controversial services such as family planning, daycare, and protective services. In these situations, government officials may be able to avoid facing issues of equity in service delivery.

At some stage the contracting relationship between government and nonprofit agencies usually signals an increase in the salience of an issue on the public agenda, and program support and government expenditures have tended to rise as contracting develops. Consequently, public officials come under greater pressure to impose equity standards on nonprofit contract agencies as program visibility increases. These standards include new regulations and contract requirements on client eligibility. However, government officials encounter agencies' resistance to their efforts to achieve greater accountability due in part to basic differences in ethos and priorities between the two parties in their approaches to issues of accountability. While government agencies are accountable to legislatures and public executives for execution of policy and fiscal responsibility, nonprofit organizations are subject to no such powerful sanctions.

Nonprofit organizations tend to be mission-oriented. They often arise in response to emergent social problems and remain motivated toward solving problems rather than worrying (in the short run) about agency maintenance. It is not uncommon for line workers in nonprofit service agencies to work overtime or long hours without compensation, or to accept cuts in salary if the organization falters financially. It is not unheard of for the agency executives to mingle accounts to sustain underfunded programs or to dip into an endowment to maintain current activities. Such passion for realizing an agency's mission is unlikely and borders on the illegal in the public sector. Moreover, their dependence upon local contributions and voluntarism often requires them to style themselves to attract and maintain the volunteers upon whom they depend. Nonprofit organizations to varying degrees will strive to maintain services even if their objectives conflict with articulated procedures. The mission orientation at times tends to be matched by disregard for organizational control mechanisms. Historically, accountability systems in nonprofit organizations have been crude or nonexistent. Performance indicators were lacking. Executive directors were in relatively weak positions to monitor their organiza-

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tions' financial status; administrative functions tended to be underfunded. Trustees tended to be intrusive, but not excessively worried about organizational efficiency.

A Changed Relationship

As contracting with nonprofit agencies has become more prevalent, several developments have occurred that give government added leverage in insisting that nonprofit agencies adhere to equity norms and accountability objectives. First, the number of nonprofit contract agencies has increased. As a result, government has greater choice in selecting contractors, although the degree of choice still varies with the geographic locale and type of service. More choices mean that government agencies are in better bargaining positions with contractors.

Second, federal budget cuts in social spending have forced nonprofit agencies to compete far more aggressively for the remaining public and private service funds. The cuts have undermined the financial health of some agencies, leaving them vulnerable to government influence.

Third, government administrators have become more experienced in managing contracts. In addition, governments, particularly at the state level, have developed elaborate rules and regulations for the contract process and the actual delivery of service.

Fourth, state governments have improved their information-gathering capacity, notably by implementing sophisticated management information systems. Improved information can give administrators enhanced leverage in contract negotiation and bargaining with contract agencies.

Fifth, overall service demand has increased dramatically in a host of categories, including foster care, home care, child abuse and neglect, homeless shelter, and service to battered women. While increased demand gives contract agencies more bargaining power, government officials are pressured more than ever to ration services equitably in the face of high demand.

The response of government to escalating pressure for greater accountability is complicated by the mutual dependence of government and nonprofit agencies. Because of physical plant requirements and the need for specialized experience and expertise, contract agencies cannot easily be replaced. Shifting contracts from one agency to another may also be disruptive to clients. In addition, new providers cannot easily bid to provide contract services because of providers' high start-up costs.

Although some governments might like to use the threat of changing agencies to gain concessions from nonprofit agencies, the difficulty of switching providers is a major factor in pushing governments to develop more rigorous standards for nonprofit performance. Contracting for services with nonprofit agencies does not follow the competitive market model; instead, government purchase of services from nonprofit agencies is a substantially political process undertaken against a backdrop in which a market model is said, wrongly, to apply.

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Resistance and Acceptance of Governmental Priorities

We have indicated three areas—personnel, clients, and facilities—in which nonprofit service agencies are vulnerable to government influence. Regulations in these areas significantly raise the overhead cost of operating a program and reduce the potential contribution of private revenues to operating expenditures. For example, many residential care programs for emotionally disturbed youth have been required to make expensive changes in their physical plants and hire new professionals to cope with the increased severity of illness of the children they serve under government contracts. The result is that per client costs have risen enormously. These agencies face strong disincentives to refuse government referrals or contract demands so as to keep their costs in line with their resources in the event, not uncommon, that government changes policy direction or cuts back on service contracts.[17]

To be sure, some nonprofit agencies refuse to accept the governmental emphasis on equity. The more a nonprofit agency is committed to a specific mission as opposed simply to perpetuating itself on a stable basis, the more it is likely to resist government demands that it screen clients closely for eligibility, obtain independent verification, or otherwise conform to external demands for staffing and facilities. A traditional agency in Rhode Island, for example, decided against reapplying for government contracts rather than accept the accompanying rules and regulations. The agency subsequently struggled financially for several years before it was able to stabilize its operations.

There are other strategies available to nonprofit organizations that wish to resist the impositions of government. For example, food banks have consented to new regulations, but neglected to enforce new procedures in practice. They have questioned clients about eligibility, but nonetheless screened everyone in. They have submitted false compliance reports, particularly when they believed they would not be closely checked. Agencies with little control over their admissions may try to manage their client population by discharging clients who do not fit within the organization's mission. However, such practices are increasingly difficult to pursue. Public and private funders now expect contractors to meet high standards of fiscal and program integrity. And as the era of contracting for services matures, governments have developed improved monitoring capacities. Also, financially vulnerable agencies will be reluctant to discharge clients if this would result in reductions in revenues.

Despite the service compromises nonprofit organizations may have to make, overall they tend to be attracted to government funds in order to expand or sustain their activities. There are severe costs to refusing government money, and it is increasingly difficult to accept government funds while trying to finesse the accompanying obligation. With the option of "exit" from the contractual relationship

[17] See Steven Rathgeb Smith, "The Changing Politics of Child Welfare Services: New Roles for Government and the Nonprofit Sector," *Child Welfare* 68 (May-June 1989): 289–299.

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closed off, most nonprofit agencies find themselves pursuing one of the two other responses that economist Albert Hirschman has suggested are available to people or organizations confronted with unsatisfactory circumstances. They may try to change existing conditions (giving "voice," in Hirschman's terms) or to nestle closer to authorities in hopes of reward.[18]

Nonprofits may exercise their voice to try to minimize the impact of government on their organizations. In our study, nonprofit agencies routinely tried to affect contract requirements or state regulations governing their programs, either through direct action or indirectly through umbrella coalitions and state organizations. Many nonprofit agency personnel, however, are very worried about alienating government officials if they speak out about contracting arrangements. They fear that their outspokenness may lead to loss of a contract, although this is rare. But government officials can make life difficult for executive directors and their staff in many other ways. They can delay or impede nonprofit agency requests for more money or more favorable contract terms. They can request a new audit or site visit. They can make client referrals that they know are unacceptable to the agency. And they can fail to steer new contracts toward the agency. All of these actions can have a major impact on the life of the organization and the success or failure of an executive director. Thus, the effectiveness of an executive director—if defined in terms of organizational growth and stability—is tied more than ever before to good relations with government officials.

Concern over relationships with government officials is related to the other major response of nonprofits to the vagaries of contracting. This is their effort to be "model citizens"—to demonstrate their acceptance of government directives and willingness to help government officials faced with a problem. Thus some nonprofit staff leap to support government officials in legislative hearings and in the press. Some agencies, against their better judgement, accept particularly troubling or controversial referrals from government agencies (called "hot" referrals) to help defuse difficult situations the agencies are facing. They expect government officials in return to be sympathetic to future requests for rate increases or other agency priorities.

This loyalty can exact significant costs. It may corrode the morale of nonprofit staff who feel compelled to cooperate with government despite their own reservations and objections. It may also hide serious problems within agencies, since government may reward a loyal provider despite quality problems and financial difficulties.

Of course, it is often difficult to tell when private agencies support public officials because of the merits of their positions, and when they extend themselves on behalf of public officials to curry favor. No doubt both perspectives at times apply. But whatever the mix, it is difficult to escape the conclusion that the contractual relationship between government and nonprofit agencies cannot be viewed

[18] Albert O. Hirschman, *Exit, Voice and Loyalty* (Cambridge, Mass.: Harvard University Press, 1970).

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in terms of arms-length buyers and sellers of services. It is clear that the relationship is a fundamentally political one where nonprofits' programmatic and financial outlooks are often linked with the political skills and savvy of their directors.

Conclusion

Ultimately, our argument that developments in government contracting with nonprofit organizations vitally affect the future of the welfare state depends upon recognizing that these organizations have traditionally played a role in integrating the individual into community-sponsored activities (as client, donor, or volunteer) and in offering an alternative to public policies derived from governmental power and coercion. It is thus critical whether nonprofit organizations operate according to standards derived from the community of interest from which they arise, or whether they are operated according to standards imposed by law and the values of public agencies. We maintain that a significant change in the balance of effort and responsibility among private firms, government, and the nonprofit sector augurs an important change in the principles governing the delivery of social welfare service.[19] Changes in the capacities of nonprofit organizations affect the diversity and quality of community life.

The broad expansion of government contracting with nonprofit agencies for social welfare services has resulted in a wider role for private agencies in social service provision, and also an enhanced position for government, as public agencies become increasingly dominant in affecting the character of the services nonprofit agencies provide. Thus we see, paradoxically, not only greater dependence on private agencies for social service provision, but a heightened role for government as well, even as these developments are championed in the name of privatization.

Two other, perhaps unexpected, developments deserve comment here. First, despite the enhanced role of government in funding services, the trend toward contracting places nonprofit organizations even more certainly in the role of social welfare innovators. In the last twenty-five years, many nonprofit agencies were established, specifically to respond to the opportunity to contract with government for services in policy areas such as employment training, residential programs for the handicapped, and child welfare services. In these areas and others, government officials have made the decision that policy will be designed for and implemented through nonprofit service agencies, albeit under governmental guidelines.

In other arenas, nonprofit organizations have taken the lead in forcing social

[19] See Michael Walzer, *Spheres of Justice: A Defense of Pluralism and Equality* (New York: Basic Books, 1983), 84–94; also Michael Walzer, "Toward a Theory of Social Assignments" in Winthrop Knowlton and Richard Zeckhauser, eds., *American Society: Public and Private Responsibilities* (Cambridge, Mass.: Harvard University Press, 1986), chap. 4.

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problems onto the policy agenda. In emergency service areas, where uncertainty over the size of the problem and ambiguities over eligibility make it difficult to mount entitlement programs, community agencies have forced public officials to recognize the urgency of problems. Governments have accepted the need for public action only after nonprofit groups created a clamor and demonstrated the political visibility of the issue.

Shelter programs for battered women provide a good example. Shelters were established in several cities around the country in the early and mid-1970s as service alternatives for battered women. These organizations also served as focal points for individuals interested in changing the existing laws and regulations on spouse abuse. Since then, government has responded with new funding, albeit in varying amounts in different states, and far-reaching legal changes. Many government agencies, such as the police, have adopted new procedures in dealing with domestic violence incidents.

Second, nonprofit agencies have emerged as buffers between the implacable fairness of government norms and the needs of citizens for policies that reflect responsiveness to their problems. Nonprofits can treat as special those clients who might be overlooked or treated routinely under public program standards. The executives of the nonprofit agencies interviewed for our study were very proud of their commitment to individual cases, often permiting workers to devote special attention and resources to help their clients. It is not uncommon for employees in these agencies to work on their days-off to help a client or to try to circumvent a government regulation to obtain special programmatic or financial help. This type of commitment is much more difficult to sustain in a government agency organized on the principle of treating all deserving clients alike. The need for such responsiveness is particularly evident in emergency services where ambiguities of eligibility make equal treatment norms difficult to enforce, yet the severity of the need calls for responsive treatment.

Despite these salutary developments, it is important to recognize that the ability of nonprofits to serve the role of the responsive agents in the welfare state may be in jeopardy. Cost pressures are forcing nonprofit managers to be more attentive to the bottom line. As nonprofit staff come to be viewed as government workers once removed, it becomes more difficult for nonprofit staff to depart from government expectations. The result is a welfare state with a more limited range of potential responses to any given social problem. This produces a complex social policy trade-off. Specific clients are more assured of a minimum standard of response, since less variation exists between nonprofit agencies. But responsiveness to individual clients that can enrich assistance at the local level is diminished, because nonprofit staff are encouraged or required to respond to specific social problems such as spouse abuse or homelessness in a standardized fashion.

The parents of a developmentally disabled adult living in a community residence know that this residence has to conform to state regulations on public safety, health, and coverage. These regulations reassure parents that their children are living in decent surroundings. But compliance with these regulations makes it less

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likely that nonprofit agencies will offer unusual service packages, take special interest in particular clients, or develop service innovations; compliance creates higher revenue demands on the agency for the same number of service units. The result is an inexorable shift away from flexibility to greater attention to the efficient utilization of staff and resources.

Government funding of nonprofit agencies enlists them as partners and allies in providing important social welfare services to the clients of government. In many states nonprofit agency staff, board members, and volunteers have played key roles in preserving social welfare services in an era of declining federal assistance. The risk is that political resources of the nonprofit sector are marshalled to support their service programs at the expense of a larger social welfare vision that the nonprofit sector traditionally projected. Among the agencies we surveyed, only a few were engaged in social issues that were not directly related to the agency, although many clients of these agencies might be better served by expanded job opportunities and increased welfare benefits and child support.

Ironically, the federal government cutbacks in spending on nonprofit service programs have actually compromised and diminished the intermediate role of nonprofit agencies as buffers between the state and individual by increasing the vulnerability of nonprofit service agencies to government influence. Moreover, these cutbacks have facilitated or encouraged a wave of regulatory efforts at the federal, state and local level designed to "allocate" scarce service resources using an equity standard and to improve accountability. In the process, the role of the citizenry in the formulation of services for the needy has been constrained. Volunteers and citizen boards are enlisted in pursuing the service agenda of government. Social provision is placed on a more equitable basis, and there may exist a broader political constituency for government social programs. However, as government increasingly penetrates the nonprofit sector it undermines the civic virtues or nonprofit organizations, such as citizen participation in service development, voluntarism, and community definitions of proper support for the needy. Those interested in establishing a balance between governmental and nonprofit organizational priorities must find within the contracting regime a way to secure the legitimate public interest in fairness and accountability, while minimizing the negative impact of government influence on community initiative, motivation, and identity.*

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Privatization in the United States: Theory and Practice

JEFFREY R. HENIG

The rapid dissemination throughout the world of the language and programs of privatization has been likened to a revolution or a boom.[1] The rapidity with which the terminology has been adopted presents an anomaly to those accustomed to emphasizing the forces of incrementalism and resistance to policy change. And the apparent application of privatization techniques to environs as diverse as those of Great Britain, Turkey, Brazil, and Japan poses a challenge to those used to portraying public policies as the offshoot of economic and developmental circumstances or extensions of national norms.[2]

This article analyzes the emergence of privatization on the public agenda of the United States. As a self-conscious movement with genuine influence at the national level, privatization came later to the United States than to several other nations. Since the early 1980s, however, privatization in the United States has moved from an intellectual fringe to become a centerpiece in contemporary public policy debates. The Reagan administration began to target programs and assets for privatization early in its first term. In early 1987, the first major privatization was carried out with the sale of the government's 85 percent interest in Conrail, a corporation established by Congress in 1976 to provide freight rail service in the North-

[1] Peter Young, "Privatization Around the World" in Steve H. Hanke, ed., *Prospects for Privatization* (New York: The Academy of Political Science, 1987), 205; Patrick Dunleavy "Explaining the Privatization Boom: Public Choice versus Radical Approaches," *Public Administration* 64 (Spring 1986).

[2] "Privatisation: Everybody's doing it, differently," *The Economist*, 21 December 1985, 71–85; Young, "Privatization."

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east. A President's Commission on Privatization established in September 1987 proposed further efforts to increase private participation across a broad range of policy areas including low-income housing, air-traffic control, the postal service, prisons, and schools.[3] Within his first month in office, President George Bush signaled an intent to carry on the privatization initiatives, speaking out in support of market mechanisms as the vehicle for school reform and naming to his cabinet Jack Kemp, a leading advocate of enterprise zones and the sale of public housing to existing tenants.

While Great Britain rightly is regarded as the foremost innovator and most ambitious undertaker of privatization initiatives, the U.S. experience merits scrutiny for several reasons. First, much of the intellectual groundwork subsequently used to legitimate privatization was elaborated by American academics, primarily economists. Second, as the concept of privatization is broadened to acknowledge the links between sales of public enterprises and less dramatic strategies—such as contracting out, imposition of users' fees, and vouchers—it is increasingly apparent that the United States has been a leader in other respects as well. Third, because the United States begins with a less state-directed economy than most other nations, its experiments with further privatization may help to establish the outer boundaries of the privatization process and clarify through its example just how far privatization can be taken. And, finally, because its federal system sets it apart from many of the most active privatizing nations, its experience may provide clues about the extent to which variations in political institutions account for differences in their respective privatization strategies.

This article takes seriously the role of theory and ideas in altering the political landscape.[4] Considering the role of ideas and theories in shaping policy agenda is meant to moderate—not stand in the stead of—more conventional explanations rooted in economic interests and the organizations they spawn. It is "transparently true that self-interest does motivate a good deal of political behavior, and that it does affect government outcomes in important ways." But interests intimately are intertwined with ideas about what is worth doing and how the world works.[5]

The evolution of privatization in the United States, it is argued here, owes something to the development of a theory of privatization. All significant public policies express theories about the relationship between governmental action and societal conditions.[6] Such theories have at least three common components. They

[3] David F. Linowes, *Privatization: Toward More Effective Government. Report of the President's Commission on Privatization* (Urbana: University of Illinois Press, 1988).

[4] John W. Kingdon, "Ideas, Politics, and Public Policies," paper prepared for delivery at the 1988 Annual Meeting of the American Political Science Association, Washington, D.C., 1–4 September 1988.

[5] Ibid., 2–3.

[6] Jeffrey L. Pressman and Aaron Wildavsky, *Implementation*, 3rd ed. (Berkeley: University of California Press, 1984); Paul Sabatier, "An Advocacy Coalition Framework of Policy Change and the Role of Policy-Oriented Learning Therein," *Policy Sciences* 21 (1988): 129–168.

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identify and categorize important societal conditions, which serve as dependent variables. They identify and categorize governmental actions, which serve as independent variables. They propose causal relationships. Beyond these common functions, such policy theories may differ in several ways. They may differ in their scope. Some are narrow and technical (a theory about the relationship between police visibility and the deterrence of crime); others cast a broad explanatory net over many aspects of human behavior (a theory about man's nature as a rational, self-interested being). They may differ in their openness to empirical evidence, ranging from tentative theses held on a contingent basis and readily subject to modification or rejection, to rigid ideologies. And, finally, they may differ in the extent to which they are primarily descriptive or normative in nature.

Development of the theoretical underpinnings served to advance the privatization movement in two ways. First, it served to "refurbish" a laissez faire philosophy that had become politically passé. Unable to convincingly account for the rise and endurance of the welfare state, laissez faire ideas had lost much of their capacity to explain, guide, and motivate. By applying economic principles to explain governmental behavior, the evolving theory of privatization provided a means to undercut the presumption that an expanded governmental apparatus reflected—and could best carry out—the pursuit of widely shared goals.

Second, privatization theory furthered the privatization movement by redefining preexisting local government practices. Many of the specific techniques that have come to be associated with privatization predated the elaboration of privatization as a coherent philosophy. Adoption of these techniques, it will be argued, represented nonpartisan, pragmatic adjustment rather than the advance of a political program to disassemble the state. Nonetheless, in appropriating these practices through an exercise of intellectual imperialism, privatization theory helped establish the feasibility and credibility of efforts to scale back the public sector by buttressing the claim that "it works."

Development and Legitimation of the Idea

Much of the theoretical infrastructure for privatization predated the current boom by decades. Many of the key themes were sharply articulated by Milton Friedman over twenty-five years ago.[7] Some see the roots running deeper, to the writings of Ludvig von Mises and Friedrich von Hayek in the 1920s and 1930s.[8] Still others push the quest back two centuries to Adam Smith;[9] undoubtedly, some would forge further. As Kingdon warns, there is a danger of infinite regress whenever one sets off to seek intellectual origins of contemporary policies: "When one starts to trace

[7] Milton Friedman, *Capitalism, Freedom and Democracy* (Chicago: University of Chicago Press, 1962).

[8] For example, Steve H. Hanke, "Privatization: Theory, Evidence, and Implementation" in C. Lowell Harriss, ed., *Control of Federal Spending* (New York: The Academy of Political Science, 1985).

[9] Linowes, *Privatization*, 234.

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the history of a proposal or concern back through time, there is no logical place to stop the process."[10] The interesting question, then, is not where the idea came from. But why did it fail to gain currency until it did? Many factors can influence whether ideas find an audience, and only some of these have to do with the characteristics and quality of the ideas themselves. To gain broad acceptance, however, it seems likely that a policy theory must satisfy at least three basic tests. First, it should offer an explanation of relevant history, including an accounting of the development of the relevant societal problem and a diagnosis of the failure of past remedial attempts. Second, it should provide a guide to current action. This guide should include both a set of techniques and a political/administrative strategy for putting such techniques into effect. Third, it should be convincing to key constituencies. Credibility, in the last sense, may depend in part upon marshalling empirical evidence. But some constituencies may respond less to rigorous studies than to whether the theory feels right, whether its account of history and guide for future action is consistent with their understanding and experiences.

Marginality of the laissez faire perspective. By the middle of this century, laissez faire theories of the proper scope of government had lost their credence. Laissez faire theorists saw a sharp distinction between the realm of the market and the realm of government. The former was identified with individual freedom, creativity, and progress; the latter with coercion. Central to the failure of this perspective was an inability to account for institutionalization and broad popularity of the welfare state.

A clear majority of Americans had come to accept at least the basic elements of the welfare state. Some public responsibilities were more popular than others, of course. That government should ensure a minimally decent standard of living for the "worthy poor"—elderly, handicapped, orphans—was broadly accepted. That fatherless children should be included under the government's protective umbrella also was accepted, although somewhat less widely and with some tentativeness. After years of intense controversy, the national government's role in protecting the rights of racial minorities was generally recognized. Most securely engrained in the public consciousness as legitimate public responsibilities were a range of services traditionally provided by local government, including police and fire protection, sanitation, street repair, elementary and secondary education, and a more recently established role for the national government as guardian against harsh features of unregulated markets.

In this context, to view government expansion simply as an imposition seemed obsolete and quaint. Counterpoised to the laissez faire perspective were two alternative explanations. One, rooted in the values of the Progressive movement in the United States, saw government as the legitimate vehicle for pursuing a broad public interest that transcended individual and parochial interests.[11] The other, representing

[10] John W. Kingdon, *Agendas, Alternatives, and Public Policies* (Boston: Little, Brown, 1984), 77.
[11] Linowes, *Privatization*, 230–231.

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an evolution of basic economic concepts, saw government expansion as an inevitable response to market failures. The broad acceptance of the outlines of the welfare state posed a political challenge to conservatives, as well as an intellectual challenge to conventional economists. Conservative politicians had to come to terms with this political landscape or risk consigning themselves to permanent minority status. The massive rejection of Barry Goldwater's presidential candidacy by the American voters in 1964 brought this message home in stark and convincing terms. The response was a gradual shift in the terms of debate. Conservatives needed to reassure the public that their attack on the size and structure of the governmental apparatus did not necessarily entail the wholesale rejection of the broad goals that had come to be associated with liberalism and the welfare state.

Expanding the hegemony of economic concepts. It was in this intellectual and political vacuum that the elements of the privatization thesis began to come together. A critical and early intellectual step was the replacement of the notion that economic behavior and government behavior were distinct spheres of human interaction with a perspective that subsumed government dynamics as a subset of economic processes. Arguing that the behavior of public officials and governmental agencies could be explained (in much the same ways that the behavior of consumers and firms could be explained) as the result of rational pursuit of individual self-interest, economists like Milton Friedman[12] and George Stigler,[13] along with public-choice theorists such as James Buchanan and Gordon Tullock,[14] lay the groundwork for an intellectual delegitimation of the welfare state.

Much of Friedman's classic *Capitalism, Freedom and Democracy* reformulated conventional laissez faire perspectives about the inherently coercive nature of government. But Friedman moved beyond this, explaining government through analogy to markets, not simply juxtaposition to markets. In doing so, he articulated three themes subsequently taken up by others writing about privatization in the 1970s and 1980s.

The first of these themes involved the *analogy between government and private monopolies*. Characterizing government as a public monopoly accomplished three things. First, it made criticisms of big government more accessible and acceptable to a mass public that already had internalized the association between monopoly and inefficiency, unresponsiveness, and waste. Second, it gave criticisms of big government an anchor in traditional microeconomic theory at the very time that the assumption that economists could provide an objective and scientific underpinning for public policy was on the rise. Third, it made an important step toward expanding the hegemony of economic theory. Economists previously had based their claim to expertise upon the distinctiveness of the economic sphere; the analogy

[12] Friedman, *Capitalism, Freedom.*

[13] George Stigler, "The Theory of Economic Regulation," *Bell Journal of Economics and Management Service* 2 (Spring 1971): 3–21.

[14] James Buchanan and Gordon Tullock, *The Calculus of Consent: Logical Foundations of Constitutional Democracy* (Ann Arbor: University of Michigan, 1962).

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between government and private-service providers suggested the possibility that government and political action might be considered subsets of economic behavior.

A second theme introduced by Friedman was the characterization of *government regulation as anticonsumer.* The expansion of governmental regulatory activities had enjoyed popular support, because it had been portrayed as protecting citizens from threats to their health, safety, and general well-being that were presented by the undiluted pursuit of profit by large businesses. Friedman argued that regulation frequently represented the victory of large business or professional interests, which used their political clout to convince legislators to impose licensing and regulatory burdens on new and small providers as a way to reduce competition.

The third theme concerned the *distinction between government responsibility and government provision.* Friedman acknowledged the nature of "public goods" and the difficulties these posed to market processes predicated on discrete transactions among self-interested individuals. Services that had "neighborhood effects" might require government to play a role, since individuals who refused to pay for such services might be able to gain a free ride. But, according to Friedman, government could address the free-rider problem through its taxing power and yet leave the provision of the service to private firms operating in a competitive environment.

In addition to these three themes, Friedman contributed to the theory of privatization by introducing the idea of the education voucher as a feasible technique for putting his ideas into practice. According to Friedman, the government would ensure a minimum level of schooling by providing parents with vouchers "redeemable for a specified maximum sum per child per year if spent on 'approved' educational services."[15] Direct provision could be left to private enterprises operating for profit or by nonprofit institutions. Competition among these providers would result in more efficient services and in better schools.

Although widely read and discussed, Friedman's formulations had little immediate impact on national policy. This is not unusual. Kingdon argues that publics need to be ready to listen, and it may take years of softening up before a new policy idea takes sudden hold.[16] In some senses, Friedman's ideas might be seen to be ahead of the times. His early work coincided with an era of national optimism and governmental activism manifested in the War on Poverty programs of the Kennedy/Johnson years. A decade later, such factors as urban riots, defeat in Vietnam, the persistence of poverty, and fiscal crises in major cities had shaken this optimism and shaved down expectations of what the public sector could accomplish.[17] By then, as well, the theory behind privatization had been further formalized and elaborated in ways that enhanced its perceived credibility.

[15] Friedman, *Capitalism, Freedom*, 89.

[16] Kingdon, *Agendas*, 134.

[17] Jeffrey R. Henig, "Collective Responses to the Urban Crisis: Ideology and Mobilization" in Mark Gottdiener, ed., *Cities in Stress: A New Look at the Urban Crisis* (Beverly Hills, Calif.: Sage Publications, 1986), 238.

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Formalizing and elaborating the theory. Friedman advanced the claim that government was best explained through the lens of traditional microeconomic theory, but it fell upon a fairly tight community of scholars coalescing under the banner of public-choice theory to translate that recognition into a formal deductive theory and to expand it to encompass a broader range of governmental activities.

Much of the impetus toward governmental growth, public choice theorists reasoned, could be attributed to internally generated pressures. Rational, self-interested politicians and bureaucrats have a stake in expanding the public sector since by doing so they can maximize their status, power, and financial return.[18] The bluntness of the vote as a mechanism to communicate complicated policy preferences means that citizens are severely hampered in their ability to impose discipline on this process and tends to give greater voice to blocs of citizens seeking to protect or expand a single program from which they directly and substantially benefit.[19]

Others elaborated implications of the theory as it applied to governmental regulation and to local governments. Regulatory agencies, rather than watchdogs for the public's interest, were perceived to be captives of the industries they professed to oversee.[20] Local governments could be considered to be analogous to private firms, offering a product (a mix of services) in return for a price (a combination of taxes). Citizens of metropolitan areas by the same token could be considered consumers, shopping among local governments for that which would provide the best return for their dollar. Given the presumption that individuals start out with varied and idiosyncratic personal preferences—an assumption quite basic to conventional microeconomic theory—it could be deduced that the best mechanism for maximizing personal freedom, governmental responsiveness, and administrative efficiency was to encourage competition among many local governments offering diverse packages of services to citizens who would "vote with their feet."[21]

Perhaps as important as these substantive contributions was the added sheen of legitimacy that the public-choice perspective lent to the familiar argument that big government was bad government. Formal modelling and mathematical precision had recently come to be highly valued within American academic circles as methods through which the social sciences could attain the sophistication and credibility of the physical sciences. The abstract and formal presentation adopted by many public-choice theorists made their work less accessible to the general public, but in return it helped to inspire and nurture a community of scholars linked by shared terminology and methodology.

[18] Gordon Tullock, *Politics of Bureaucracy* (Washington, D.C.: Public Affairs Press, 1965).

[19] Anthony Downs, *An Economic Theory of Democracy* (New York: Harper & Row, 1958); James Buchanan, "Why Does Government Grow?" in Thomas E. Borcherding, ed., *Budgets and Bureaucrats: The Sources of Government Growth* (Durham, N.C.: Duke University Press, 1977).

[20] Stigler, "Economic Regulation."

[21] Charles M. Tiebout, "A Pure Theory of Local Expenditures," *Journal of Political Economy* 64 (October 1956): 416–424; Vincent Ostrom, Charles Tiebout, and Robert Warren, "The Organization of Government in Metropolitan Areas," *American Political Science Review* 55 (December 1961): 831–842.

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Theory Appropriates Practice

By the early 1970s, much of the theoretical infrastructure for privatization had been put into place. There were three elements to this infrastructure: first, a revisionist interpretation of the origin and maintenance of the welfare state that accounted for government programs and regulations by self-interested bureaucrats and politicians rather than pursuit of a public interest or democratic pressures; second, a formalized theory; and third, in vouchers, a proposed mechanism for moving away from governmental provision of services without necessarily denouncing governmental responsibility.

By the early 1970s, too, the idea of privatization presumably had a much more receptive audience than had confronted early proponents like Milton Friedman a decade before. The "can do" atmosphere of the Kennedy/Johnson years had been displaced by a somewhat dispirited resignation to the fact that poverty and other social problems were deeply ingrained and that efforts to use government to redress inequities would entail cost and conflict. There was a sense that the national government through the various Great Society programs had given its best shot and that it had failed.

In spite of this, the emerging theory of privatization remained somewhat isolated from the mainstream of American politics and policy. While the national mood may have been one of disillusionment (President Jimmy Carter labeled it "malaise"), it was not a mood of crisis or desperation. Americans were vaguely dissatisfied with general trends in their collective life, but at the same time they generally were satisfied with many of the specific of their individual lives. While they might not *feel* well, many of them were *doing* well, and they were not necessarily ready to undertake the risks attendant upon a radical policy shift. Before an idea like privatization could find broad acceptance—to move from the community of scholars and intellectuals who play with ideas into the realm of policy practice—the strain of pragmatic skepticism at the core of American culture had to be assuaged. Advocates faced the task of providing a convincing answer to the straightforward question: Does it work?

Reconceptualizing existing practice. Establishing the feasibility of a genuinely new proposal can present a *Catch 22* situation. Until the idea is put into practice, assessments of feasibility necessarily are speculative and hypothetical. But elected officials usually resist adopting new ideas backed only by speculation and hypothesis.

Legitimation of the idea of privatization required evidence that market forces would produce public goods, and an essential first step in producing that evidence involved reconceptualizing existing governmental practices in the United States. Privatization advocates began to build the argument that public officials, especially at the local level, already were practicing privatization whether they realized it or not.

The boundary between the public and private spheres has never been fixed or impenetrable; and the approximately 80,000 local governments in the United States

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over the years had negotiated a diverse and sometimes idiosyncratic set of public-private relations. Some were consistently aggressive regulators, some were consistently passive regulators, and some regulated aggressively in some spheres (sanitation in restaurants, for example) and not others (building code enforcement, for example). Some provided a broad range of services fully funded through general revenues; others provided a narrower range of services; others sought to limit access and defray costs for some available services by levying fees on recipients. Some sought to deliver all services and carry out internal functions using public employees; others contracted with private firms to meet some of their needs.

Privatization-as-practice, in this sense, clearly predated the full elaboration of the contemporary privatization idea. The city of San Francisco, for example, began franchising garbage collection to private companies as early as 1932.[22] Users' fees for some governmentally provided services – for example, bridge and highway tolls, fares for public transportation – had existed for as long as the services themselves.

These diverse governmental arrangements did *not* represent a broad but heretofore unacknowledged privatization movement, but a series of pragmatic adjustments, more often undertaken in the context of an expanding public sector rather than in a deliberate effort to shrink the governmental realm. But in grouping them together and in defining them as analogous to the proactive changes they envisioned, privatization advocates accomplished two things. First, they addressed concerns about the administrative feasibility of privatization; obviously, privatization was technically feasible, since hundreds of governments were doing it already. Second, they set the stage for empirical verification that privatization not only was possible, but that it worked. The experiences of cities relying more on market mechanisms could be compared to those of cities relying on traditional governmental delivery, using systematic techniques of policy analysis.

Establishing proof. The early and crucial evidence that privatization allowed public goals to be achieved more efficiently and more effectively primarily came from studies of cities that had contracted with private firms to provide such traditional services as fire protection and refuse collection. Two studies – one by Roger Ahlbrandt and one by E.S. Savas – are worth summarizing, both because they are fairly typical of this genre in their methodology and findings and because they have been especially influential.

Ahlbrandt investigated fire protection services in Scottsdale, Arizona, which had contracted with the private Rural-Metropolitan Fire Protection Company. He concluded that Rural Metropolitan was providing services at slightly over half of what it would cost if the city had chosen to provide comparable services publicly. The private firm spent more on research and development than public fire departments, and accordingly found several innovative means of minimizing capital and labor costs. These included the use of smaller fire trucks and smaller and lighter fire hoses. Rather than purchase its equipment, Rural-Metro built most of what

[22] Linowes, *Privatization*, 2.

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it needed itself, or subcontracted the construction to other firms. And rather than pay full-time firefighters to sit idly in the station waiting for a call, the company trained city workers in other departments in fire-fighting techniques. These "wranglers" worked only when needed and were paid only when they worked.[23]

E. S. Savas compared public and private refuse collection in the New York metropolitan area. He concluded that "it costs the city more than twice as much as the private sector to collect a ton of garbage. . . ."[24] In Douglaston, an area within New York City, the public sanitation department made two curbside pick-ups each week at a yearly cost of $207 per dwelling. In nearby Bellerose, New York, Savas found that a private firm was able to make three weekly pickups from the back of residents' homes at a cost of only $72 per dwelling per year.

Studies like these found a receptive scholarly audience. A computerized search of the *Social Science Citation Index*, for example, found Savas to be by wide margin the most frequently cited author in articles written about privatization between 1972 and 1986. Just as importantly, they found more popular outlets as well. Savas, for example, wrote about "Municipal Monopoly" in *Harper's Magazine* in December 1971. And an article reporting on the Scottsdale experiment . . . with the dramatic title "Scottsdale Slashes Spending"—appeared in *Readers' Digest* in February 1978.

From Pragmatic Adjustment to Partisan Program

Linking the emerging theory of privatization to the preexisting practices of local governments helped establish the credibility of the theory, but in the process it served to politicize the practice, with ironic results. The very fiscal, cultural, and institutional characteristics of local governments in the United States that accounted for their receptiveness to privatization to some extent had depended upon a depoliticized milieu. As privatization was brought to the national agenda in the 1980s, it was invested with a partisan content that undermined the atmosphere of pragmatic adjustment in which the practice initially took root.

The local level: pragmatic adjustment. Although reliable data on historical trends in privatization practices do not exist, contracting out arrangements among local governments seem to have expanded in the 1970s. During this period, local governments in many parts of the nation were faced with considerable financial pressures, and this undoubtedly made their officials particularly susceptible to proposals promising fiscal savings.

The local response to fiscal constraints was primarily a managerial one. Contracting out and the imposition of user fees were part and parcel of a laundry

[23] Roger S. Ahlbrandt, Jr., *Municipal Fire Protection Service: Comparison of Alternative Organizational Forms* (Beverly Hills, Calif.: Sage Publications, 1973).

[24] E. S. Savas, "Municipal Monopolies Versus Competition in Delivering Urban Services" in Willis D. Hawley and David Rogers, eds., *Improving the Quality of Urban Management* (Beverly Hills, Calif.: Sage Publications, 1974), 477.

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list of responses, which included such additional tactics as hiring freezes, improved revenue collection, multiyear forecasting, and creative capital financing. The particular mix of techniques adopted may have depended in part on the ideological and partisan preferences of local officials, but it reflected in at least equal degree bureaucratic decision rules, legal parameters set by state charters and antitax restraints, and accommodation to localized political and economic constraints.[25] Framed as a managerial response to fiscal constraint, privatization options were publicly debated, if at all, in technical and economic terms, rather than in reference to social philosophy or political goals.

Besides the fiscal environment, two additional characteristics of local governments help explain the spread of these initiatives in a depoliticized form. The Progressive era in American political history left as part of its intellectual legacy a particular view of local governments. Primarily administrative units, charged with performing various municipal housekeeping chores, local governments could and should be addressed in a nonpartisan manner by experts trained in applying technical criteria to maximize efficiency, instead of being addressed in a political manner by elected officials responding to interest-group pressures or ideologies. The apolitical language in which the early privatization arguments were couched appealed to local officials, whose roots were in that intellectual tradition.

Moreover, the legacy of the Progressive movement included more than an intellectual heritage. The Progressives' ideas found expression in a powerful political movement, which in the first thirty years of this century reshaped the decision-making structures in many local jurisdictions. The resulting structural reforms were designed to insulate managers and administrators from demands by private-regarding groups seeking patronage or other material benefits as political favors. These reforms included the city manager form of government, nonpartisan elections, and delegation of authority to nonelected independent boards, commissions, and special districts. This insulation gave those administrators inclined to experiment with privatization discretion that would not be available to elected officials directly indebted to constituent groups—particularly public employee unions—to whom privatization proposals represented an apparent threat.

The national agenda—pre-Reagan. As was the case at the local level, privatization-as-practice at the national level pre-dated privatization-as-idea. The 1988 report of the President's Commission on Privatization concluded that contracting out on a selective basis has "been one of the government's principal ways of doing business throughout our nation's history."[26] In order to encourage and formalize contracting out by national agencies, the Eisenhower administration in 1955 issued Bureau of the Budget Bulletin 55-4, which articulated the goal that the "Fed-

[25] John Matzer, Jr., "Local Control of Fiscal Stress" in Gottdiener, ed., *Cities in Stress*, 63–79; Irene S. Rubin and Herbert J. Rubin, "Structural Theories and Urban Fiscal Stress" in ibid., 177–198.

[26] Linowes, *Privatization*, 129.

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eral government will not start or carry on any commercial activity to provide a service or product for its own use if such a product can be procured from private enterprise through ordinary business channels."[27] Even sales of national governmental assets have a long history in the United States. The Rural Homestead Act of 1862 invited citizens to stake out claims to up to 160 acres of federally owned land in the undeveloped areas of the American West. Those making a claim were required to build a structure, cultivate the land, and live on the property for at least five years. In return for this and a $26 fee, they were granted permanent title to the property. The Federal National Mortgage Association (Fannie Mae) was established in 1938 as a national governmental response to the Depression-ravaged private lending industry. The governmentally owned corporation would provide a new and reliable secondary mortgage market, reducing the risk to private lenders and thereby encouraging them to issue additional mortgage loans. Fannie Mae was partially privatized in 1954 and further privatized in 1968. Since then it has operated as a private, shareholder-owned corporation, although it retains a special relationship to the government through its federal charter.

But such early efforts were predicated on different ideas from contemporary privatization proposals. Rather than representing a broadscale and deliberate effort to reduce the size and scope of governmental activity, these actions generally took place in a context of increasing national governmental growth; the privatization of Fannie Mae, for example, was accompanied by the establishment of new quasi-governmental enterprises, the Government National Mortgage Association (Ginnie Mae), which took over some of what had been Fannie Mae's mandated responsibilities.[28] And rather than an assumption that private delivery necessarily was more efficient, initiatives to stimulate contracting out and privatize Fannie Mae primarily were based on a notion that government had unfair advantages in competing with private providers.

In the middle to late 1970s, however, this began to change. With such actions as the Securities Acts Amendments of 1975, the Airline Deregulation Act of 1978, the Motor Carrier Act of 1980, and the Depository Institutions Deregulation and Monetary Control Act of 1980, the national government showed a definite readiness to reduce substantially its regulatory involvement in the private sector. This trend was substantially influenced by the same economic theories that are used to legitimate the more expansive array of privatization initiatives on the contemporary agenda.[29]

The deregulation movement foreshadowed the privatization policies that the Reagan administration would propose in the 1980s, but it differed from the movement to come in several respects. First, the deregulation movement was markedly

[27] Cited in Linowes, *Privatization*, 129.

[28] Martin Mayer, *The Builders: Houses, People, Neighborhoods, Governments, Money* (New York: W. W. Norton, 1978), 379.

[29] Martha Derthick and Paul J. Quirk, *The Politics of Deregulation* (Washington, D.C.: The Brookings Institution, 1985).

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bipartisan in leadership and support. Senator Edward Kennedy, a liberal Democrat, was one of the most vocal legislative activists in the shaping of the trucking deregulation initiatives. And both trucking and airline deregulation efforts received active support from the Democratic Carter administration. Second, the deregulation movement exclusively was focused on increasing competition, not decreasing governmental size or assets. Finally, the national deregulation policies of the 1970s were self-limiting; the ideas and interests supporting deregulation were affirming an activist role for the national government at the same time that they were strategically pursuing deregulation in specific areas.

The strategic and selective aspects of this push for national deregulation are most apparent in the telecommunications area. The break-up of American Telephone & Telegraph (AT&T) is cited as an example of deregulation, because it was accompanied by a deliberate scaling back by the Federal Communications Commission of efforts to supervise rates and limit the phone companies' involvement in many peripheral areas including data processing. Like trucking and airline deregulation, this was a pro-competitive position that resulted in the entry of many new firms and the expansion of the range of options available to consumers. But the roots of this decision lay in aggressive action by the federal courts—the forced dissolution of the AT&T monopoly—which confirmed a very strong regulatory role for the national government.

The blossoming of privatization: the Reagan agenda. The election of Ronald Reagan in 1980 marked an important shift in the political environment in which the privatization movement was beginning to unfold. National leaders prior to Reagan had celebrated the importance of the private sector. Jimmy Carter had backed deregulation and emphasized a public-private partnership as a strategy to reverse urban decline. But the election of Reagan meant that privatization advocates for the first time were likely to get a more sympathetic hearing at the national than at the state or local level. And Reagan's popularity and early legislative successes suggested that privatization advocates might rapidly be able to convert their agenda into substantial changes in policy and practice.

Reagan had not run on a privatization platform. Rather, he had sounded more traditional antigovernment themes: the need to restrain meddlesome bureaucrats, reduce taxes, unleash the entrepreneurial spirit, provide help to those who help themselves. Early in his first term, however, the White House began to formulate proposals that in substance and stated rationale reflected the kind of privatization already underway in Great Britain.

Several elements marked this emergence of privatization as a serious item on the U.S. national governmental agenda. First, the Reagan administration began to formulate aggressive proposals for the sale of a wide range of governmental assets. Early proposals included the sale of federally owned park and wilderness lands, National Weather Service satellites, Conrail and AMTRAK, and a major petroleum reserve.

Second, the Reagan administration explicitly adopted the still unfamiliar term "privatization" along with the argument that privatization—rather than representing

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a rejection of the goals associated with the welfare state—simply represented an adoption of private means to pursue public goals. The President's Private Sector Survey on Cost Control, for example, defined privatization as an option "allowing Government to *provide* services without *producing* them."[30]

Third, the Reagan administration used the term to link proposed asset sales with a broad array of alternative techniques. The report just mentioned offered a "conceptual framework for the role of privatization" that identified contracting out, grants and subsidies, tax incentives, deregulation, vouchers, franchises, and divestiture as techniques through which the national government could pursue public goals through private providers. In the process, the administration sought to legitimize its proposals by extending the claim that privatization had proven successful at the state and local level. "The concept of privatization in the Federal Government is a relatively new concept," the report suggested, "even though it has been applied successfully at the state and local levels."[31]

Finally, the Reagan administration drew clear and explicit analogies to the British experience. Reagan officials echoed the claim of privatization advocates that Margaret Thatcher's government already had demonstrated the economic feasibility and political popularity of privatization. The British example was especially important in legitimizing the idea of enterprise zones and the sale of public housing units to tenants. The Heritage Foundation, a conservative think-tank that was influential in shaping the Reagan agenda, aggressively promoted the enterprise zones concept through publications and conferences that emphasized the fact that Britain already had demonstrated their viability. Stuart Butler, a British analyst for the Heritage Foundation, heavily drew on the Britain model in his 1985 book *Privatizing Federal Spending*. In a section headed "Mrs. Thatcher Shows the Way," Butler argued that a broad range of privatization tactics had "enabled her government to make remarkable gains in her battle to cut the public sector down to size."[32]

Politicization of privatization. Along with these other developments came another transformation. Prior to this, privatization-as-theory and privatization-as-practice had developed relatively independently of one another; in Kingdon's terms they represented separate "streams."[33] The theory of privatization was deduced from abstract microeconomic premises; it was not induced from observation of the local government practices, although it subsequently looked to those practices as a source of legitimation. Similarly, local government adoption of privatization practices represented a series of pragmatic adjustments to an environment marked by expanding demands and fiscal constraints; it was not precipitated by a deliberate

[30] President's Private Sector Survey on Cost Control, *Report on Privatization* (Washington, D.C.: U.S. Government Printing Office, 1983), i. (Emphasis in original.)

[31] Ibid., i.

[32] Stuart M. Butler, *Privatizing Federal Spending: A Strategy to Eliminate the Deficit* (New York: Universe Books, 1985), 34.

[33] Kingdon, *Agendas*, 90.

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application of privatization theories, although it sometimes was explained and defended with terminology drawn from the same economics tradition.

In the hands of the Reagan administration, privatization became more than a pragmatic adjustment. It represented a deliberate attempt to use the ideas of privatization to substantially reshape the economic and political ecology. Privatization as economic theory became privatization as political strategy.

This new role for privatization got its clearest public statement from Stuart Butler. He took as a starting point the traditional conservative goal of shrinking the public sector, but he rejected the traditional conservative notion that the way to do so is to impose limits on taxing and spending. Such limits represent supply-side strategies, which were destined to fail, he suggested, because they do not appreciate the extent to which the expansion of the public sector rests upon the demand side—the capacity of government to provide desired services to specific groups and the resulting readiness of beneficiary groups to mobilize as a pro-spending coalition.

Butler argued that the welfare state is politically resilient because it spreads costs over a large, usually unmobilized constituency, while concentrating benefits on limited segments of the population that rally to defend the programs they have a stake in protecting. His explicit political strategy was to use privatization to reverse this dynamic. "Privatization involves concentrating benefits on a limited segment of the population—beneficiaries and [private sector] service providers—while the costs (assuming tax relief and other special privileges to one group mean costs to everyone else) are spread widely."[34] Contracting out and voucher programs were "politically expedient" as transitional elements in this strategy, because they allow "politicians to gain points with constituencies by promising more, not less. . . ."[35] Butler recommended, too, that the United States learn from the British the tactic of detaching potentially powerful elements of the spending coalition: "Discounts to tenant buyers, for instance, weakened resistance to the sale of public housing; private garbage collectors 'bought off' public employee opposition by hiring government workers; and turning employees into shareholders was remarkably successful in breaking down obstacles to denationalization."[36]

This notion of using privatization to reshape the interest-group environment was eagerly seized upon by some elements within the Reagan administration. The Office of Personnel Management, for example, in 1986 proposed a Federal Employee Direct Corporate Ownership Plan (Fed CO-OP), which would create new, employee-owned independent companies that would compete for governmental contracts, initially at highly favorable terms. The 1988 report of the President's Commission on Privatization concludes with a strong statement in favor of structuring privatization initiatives to create new interest groups with direct stakes in accelerating the process of shrinking the size and scope of government:

[34] Butler, *Privatizing Federal Spending*, 46.
[35] Ibid., 45.
[36] Ibid., 46.

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> For example, a proposal to divest a government business might suggest transferring it to the employees. . . . A proposal to divest government power-generating facilities might suggest giving the facilities (or selling them cheaply) to the current power customers. . . . A proposal to divest government conservation lands might suggest giving it to a current conservation organization. . . . In summary, if privatization consists simply of eliminating government programs and cutting off benefits, change may come at a slow pace. If privatization consists, however, of forming and recognizing new private rights for the beneficiaries of existing programs, the pace of privatization could accelerate.[37]

Emerging Backlash? A Look toward the Future

The Reagan victory in 1980 set the stage for the maturation of privatization as policy theory—the joining of economic theory, a catalogue of techniques, reinterpretation of past practice, and a political strategy for institutionalizing change. Since then, privatization certainly has blossomed as a major issue on the national agenda.

But agenda status is not equivalent to policy impact. With the exception of the sale of its 85 percent share in Conrail, federal government implementation of privatization initiatives has lagged far behind the stated goals. While it is still too early to project the ultimate course of the privatization movement in the United States, this lag presents a seeming anomaly. The infiltration of privatization techniques into governmental practice in the United States continues to have been most successful when least visible, least programmatic, and least politicized.

This final section addresses this seeming anomaly. It argues that the very factors that help to account for the emergence of privatization as a self-conscious movement have helped to define a countermovement with the potential to stall or eventually reverse the shrinking of the public sector that privatization entails. There are four parts to the argument. In anchoring its ideas in the ideological heritage of laissez faire, privatization theory helped to animate the movement with a moral vision associated with personal freedom, antisocialism, and creativity; but in the process it attracted a zealotry and rigidity of purpose that pushed the movement to embarrassing extremes. In emphasizing the distinction between government responsibility and government provision, privatization theory won greater acceptance for private-service delivery, but in the process it reaffirmed the legitimacy of governmental intervention. In drawing parallels among such diverse techniques as asset sales, users' fees, vouchers, contracting out, and deregulation, privatization theory facilitated a process of crossvalidation; but in the process it opened the field for subsequent shortcomings with specific initiatives to be generalized to other privatization proposals. And in linking privatization strategies to a deliberate agenda to unravel the welfare state coalition, privatization theory rallied political and financial resources committed to the conservative cause; but in the process it alerted and reinvigorated elements of the original coalition that

[37] Linowes, *Privatization*, 249.

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promoted state expansion, helping to reestablish common interests that had begun to fray.

Ideology and extremism. The Reagan administration came into office with a resounding mandate and a political momentum that quickly was converted into tangible legislative successes. That this momentum did not carry over into the area of government asset sales is due at least in part to the administration's misjudgment in the choice of an initial target. Buoyed by its early successes and stirred by a grand conservative vision, the White House allowed ideology to take precedence over practical politics. The result was a sharp defeat.

Most of the early candidates for sale fell into one of three categories. Some—like public housing and the U.S. Postal Service—had been regarded for many years as dreadful failures, the objects of ridicule and scorn. Others—like Conrail, National Airport, and federal utilities—had constituencies that were geographically limited. Still others—like governmentally owned satellites and Naval Petroleum Reserves—had benefits that were contingent on uncertain scenarios (the future production of knowledge, security in the face of potential economic and military threats).

Rather than these politically vulnerable targets, the Reagan administration's first efforts at privatization focused on the sale of federally-owned park lands. Land was the most valuable and visible of federal assets, and the agency most directly responsible was headed by a strong advocate of the conservative antigovernment coalition. To those who saw privatization as a moral crusade, this focus was logical and appropriate. But the result was a fierce negative reaction that dealt privatization initiatives a substantial blow.

Reaction against the sale of federal land was magnified by two factors. First, the proposed sale of government land—particularly park land, timberland, and oil and mineral rights—posed privatization as a threat to the environment. In spite of the public's broad support for Ronald Reagan and many central aspects of the Conservative agenda, public opinion polls made it clear that most Americans remained adamantly opposed to efforts to scale back the pro-environmental initiatives that had been launched in the previous decade. Second, and somewhat related, the proposed sale of government land put Secretary of the Interior James Watt into the role of privatization spokesman. Watt's outspokenness, contentiousness, and claims to a divine mission eventually turned him into a political liability. Burned on this issue, the Reagan administration was forced to pull back from an aggressive pursuit of asset sales.

Reaffirming governmental responsibility. The distinction between privatization and traditional laissez faire perspectives rests in large measure on the insistence of the latter that scaling back the size of government need not imply stepping back from the responsibilities of government. The distinction between government responsibility and government provision permits privatization to pose as a modification of the welfare state, rather than its dissolution.

To reassure interests currently benefiting from government practices, privatization advocates have had to outline an ambitious role for the public sector in

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monitoring private sector contractors, in regulating corrupt or unfair market practices, and in expanding redistributional activities. Government, as part of the contracting out process, is to take on a stronger watchdog role, ensuring that private contractors meet performance standards.[38] And concerns that the poor will suffer as a result of their inability to compete in market arenas have been met by proposals that housing, education, and medical vouchers be targeted specifically to increase the purchasing power of the poor.

It is possible that privatization advocates are disingenuous in offering up these visions of government as watchdog and Robin Hood. Ruth DeHoog notes at least two reasons for suspecting as much. First, the procontracting literature has inadequately discussed the issues of contractor compliance and service performance, ignoring the complexities and obstacles that are familiar to those serious about organizational processes and program administration. Second, her review of the human services provision by the state of Michigan found that increased reliance on contracting out was not accompanied by improved oversight. To the contrary, declining resources forced the responsible state to rely increasingly on the contractor's own reviews as a source of low cost or free information.[39]

Whether disingenuous or not, however, the reaffirmation of governmental responsibilities might be taken seriously by others. Something along these lines has been occurring with the enterprise zones concept as it has moved in the United States from theory to policy. The original proposals emphasized regulatory and tax relief as an alternative to the kinds of direct economic development subsidies underpinning earlier programs of urban renewal. But putting enterprise zones into practice has required scaling down regulatory reform, targeting benefits to businesses that hire the long-term unemployed, expanding reliance on governmentally provided improvements, and protecting the poor from gentrification spillover. Many of the enterprise zones programs initiated by the states differ from conventional urban renewal programs of the 1950s and 1960s only by adding tax relief to the armament of subsidies and incentives they bring to bear.

From crossvalidation to guilt by association. The maturation of the privatization theory was marked by several publications providing overviews of privatization.[40] Each defined privatization broadly to include the entire gamut of techniques from contracting out to asset sales, and each offered anecdotal and empirical evidence of the feasibility and success of these approaches. These overviews tended to cite many of the same studies. With few exceptions, however, the studies failed to systematically or directly assess large-scale, deliberate, and programmatic ef-

[38] Ruth Hoagland DeHoog, *Contracting Out for Human Services* (Albany, N.Y.: State University of New York Press, 1984).

[39] Ibid., 11.

[40] Robert W. Poole, Jr., *Cutting Back City Hall* (New York: Universe Books, 1980); James T. Bennett and Manuel H. Johnson, *Better Government at Half the Price* (Ottawa, Ill.: Caroline House, 1981); E. S. Savas, *Privatizing the Public Sector* (Chatham, N.J.: Chatham House, 1982); Hanke, *Prospects for Privatization*; Linowes, *Privatization*.

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forts to reduce the scope of government. For the most part, they represented fairly simple comparisons between publicly and privately provided services, with little or no effort to control for differing economic and institutional environments. And for the most part, the private delivery systems they evaluated were modest efforts that had emerged through pragmatic adjustment. Nonetheless, the results of these studies were presented in such a way as to provide the more aggressive elements of the privatization agenda a "halo effect." As Paul Starr has noted, "By treating these heterogeneous measures as members of the same family, the advocates of privatization use the more moderate ideas, such as vouchers and contracting out, to gain plausibility for the more radical goal of government disengagement."[41]

Some of the more deliberate and substantial privatization efforts have developed a track record of their own. And while privatization proponents are pleased with some of the results, that record is not without its embarrassments. Deregulation of the airlines initially seemed to lead to the competition and lower prices that proponents had promised. But airline bankruptcies, labor troubles, confusing price structures, declining service to rural areas, and concerns about safety have led some in Congress to express doubts about the wisdom of their earlier action.[42] Some of the states that launched their own enterprise zones have found them less successful than more traditional direct government subsidies as a way to stimulate economic development.[43] The Reagan administration's small-scale experiment with housing vouchers disappointed the *Wall Street Journal*, presumably a sympathetic audience.[44] Even the experiences of Great Britain and France now provide a more problematic set of lessons. Britons' dissatisfaction with service provided in the wake of the privatization of British Telecom, scandals in France involving rumored inside deals, and necessity to scale back sales in both countries following the October 1987 stock market crash contribute to an air of growing wariness.

Selective failures of privatization ought not discredit the broad program, any more than selective successes ought to have been taken as empirical verification that the program was universally viable. But public perceptions do not follow strict rules of evidence. Now that the more radical privatization efforts have been conceptually bound to the more modest and pragmatic adjustments, problems associated with the former can be expected to stiffen resistance even to the latter.

Mobilizing the opposition. It has been argued throughout this article that the major inroads made by privatization techniques in the United States represented pragmatic adjustments rather than partisan or ideological victories. Privatization proponents coopted the experience of local governments to provide legitimacy to

[41] Paul Starr, "The Limits of Privatization" in Hanke, *Prospects for Privatization*, 126.

[42] Martha M. Hamilton "Eastern Strike Raises Fears of Higher Fares: Debate on Airline Deregulation is Rekindled," *Washington Post*, 13 March 1989.

[43] Paul Farhi, "Do Enterprise Zones Work? In St. Louis, Results Are Tepid," *Washington Post*, 19 February 1989.

[44] Joann S. Lublin, "Uncertain Solution: Vouchers for Housing Help Some Poor, Fail to Benefit Others," *Wall Street Journal*, 19 November 1986.

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the abstract formulations of economic theorists. This joining of theory and practice was an intellectual coup that helps to account for the transformation of privatization from fringe theory to its featured spot on the national policy agenda.

Ideas, however, often prove disloyal to their creators. The ideas that facilitated the blossoming of the privatization movement have the potential to feed its opponents as well. By linking discrete practices to a broad goal of rolling back the state, privatization proponents have defined a new common ground for elements of the traditional liberal-Democratic coalition.

The traditional liberal Democratic coalition rests on distinct constituencies: labor, minorities, and higher socioeconomic groups concerned about protecting the environment and consumer rights. Events of the late 1960s and early 1970s threatened to unravel this coalition. The shift to a service economy and the growth of public-sector employment put strains on union organizations that had their traditional base in the manufacturing sphere. Affirmative action programs drove a wedge between civil rights organizations and white ethnic union members. Environmentalists' efforts to preserve land and limit development were perceived as anti-jobs by some workers; the same efforts were seen as anti-access to civil rights organizations seeking to break down barriers to affordable housing in the suburbs.

Such strains continue to weaken the Democratic Party, but privatization has provided a potential unifying device. Each element of the coalition is unnerved by different components of the privatization movement. Public service employees are particularly concerned about contracting out. Public school teachers are concerned about education voucher plans that might support private schools. Manufacturing workers worry about deregulation in areas of occupational health and safety. Civil rights organizations regard warily privatization initiatives that shift responsibility from government to self-help or voucher and user fee proposals that base their claims of fairness to the poor upon presumptions of redistributive financing mechanisms that might not materialize. Environmentalists fret about the sale of public lands; consumer activists worry about poor maintenance on deregulated airlines.

Proponents like Butler, who see privatization as a vehicle for further unraveling this coalition, presume that conservative forces can rally around a grand and comprehensive strategy at the same time that they lead their opponents to react to each proposal as a discrete package. Fred L. Smith, Jr., for example, emphasizes "the ability to 'frame the issue' for each privatization attempt."

> For example, privatizing air traffic control should be presented as an attempt to "improve air safety." Selling the Tennessee Valley Authority (TVA) should be presented as an issue of "increasing local accountability and improving the service."[45]

This approach gambles much on the premises that pro-government forces already are too weary, too fragmented, or too alienated to draw the connections

[45] Fred L. Smith, Jr., "Privatization at the Federal Level" in Hanke, *Prospects for Privatization*, 184.

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or mount a counterattack. Right wing privatization proponents blame the slow course on tactical errors by the Reagan White House.[46] In light of Reagan's general record of legislative success, however, blaming White House strategy is less convincing than an explanation that considers the influence of the opposition.

Conclusions

Privatization proponents explain its eruption on the national government's agenda by reference to objective economic interests of the state, linking it directly to goals of efficiency, competition, innovation, and deficit reduction. But an exclusive focus on economic forces obscures the intensely political nature of the privatization movement. Privatization initiatives are political because they redistribute costs and benefits among diverse and competing groups. Portraying privatization as a necessary adaptation to fiscal constraints fails to acknowledge the considerable range of alternative responses open to governmental actors and the extent to which selection of policies within that range may reflect partisan tactics and pressure from mobilized interest groups.[47]

Recognizing the importance of political as well as economic interests, however, leaves open the question of how those interests come to be defined. The environment does not present individuals and groups with unambiguous signposts, and not all interests come to be represented by mobilized political actors.

It is through their effect on the way that individuals and groups come to identify their distinct and common interests that ideas come to play a major role in shaping political dynamics. Emphasizing interests to the exclusion of ideas treats such important collective enterprises as persuasion, learning, and conversion as derivative epiphenomena; and this interprets policy change solely as the result of shifts in the balance of power among a stable of relatively fixed interest groups.

The theory underlying privatization is significant because it represents a deliberate effort to redefine both economic and political interests. And it has been successful, at least in the sense that it has reshaped political discourse. Governmental options are conceived and talked about differently today. The differences shift expectations and the burden of proof against those who would argue for an authoritative governmental role.

The forces underlying the explosion of privatization as a visible item of public discussion and public debate may differ, however, from those that would explain its formal adoption and lasting implementation. Discussion and implementation

[46] Ibid., 179; Butler, *Privatizing Federal Spending*, 2.

[47] Jeffrey R. Henig, Chris Hamnett, and Harvey B. Feigenbaum, "The Politics of Privatization: A Comparative Perspective," *Governance* 1 (October 1988); John Vickers and Vincent Wright, "The Politics of Industrial Privatisation in Western Europe: An Overview," *West European Politics* 2 (October 1988): 1–30.

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of privatization proceeded on two fairly distinct tracks. Somewhat ironically, practices associated with privatization have proved most viable when least visible.

The extent to which the new language of public policy will be translated into substantial and lasting alterations in the political/economic landscape remains problematic. In some instances, ballyhooed privatization initiatives represent rather conventional actions, relabeled for reasons of expedience. In some cases, proposed initiatives have been stalled by unforeseen political and economic constraints. And in still other cases, genuine initiatives have mobilized opposing constituencies that, turning some of the ideas behind privatization to their own advantage, have begun to pare down and possibly reverse the privatization trend.

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Domestic Pressures and the Politics of Exit: Trends in Soviet Emigration Policy

LAURIE P. SALITAN

Marking the beginning of a new period for contemporary Soviet emigration policy, Mikhail Gorbachev's *novoe myshlenie* or new thinking generated the recent surge of emigrants from the Soviet Union—18,965 Jews and 47,572 Germans in 1988 and significantly greater numbers in 1989.[1] Since 1968, emigration levels have been subject to yearly change: increasing numbers for most of the 1970s, a sharp diminution and virtual cessation during 1980–1986, and a sudden and considerable revival from 1987 through the present.

The prevailing view of these vacillations, which I term the barometer thesis, casts emigration as a barometer of U.S.–Soviet relations and treats would-be emigrants as instruments in the complex diplomatic maneuvering between the superpowers. Despite its surface plausibility, the barometer thesis is ultimately problematic; its application to the entire course of emigration produces an analysis flawed because of its failure to consider the domestic context of emigration policy. Soviet choices regarding emigration stem from the interplay among a panoply of concerns: demography, economic performance, elite and institutional politics, foreign policy, nationality policy, and the role of Jews in Soviet society.

[1] Jewish emigration figures are from the National Conference on Soviet Jewry, New York. German emigration figures are from the Deutsches Rotes Kreuz [German Red Cross], Hamburg, West Germany.

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The Soviet policy behind emigration, rather than the international spotlight and western pressure on the USSR, is the pivotal component in the twenty-year history. Despite an ideology that does not accept free emigration, more than 15 percent of Soviet Jews, the sixteenth largest Soviet nationality, have left. Why has this been possible? What accounts for such a sizable percentage of emigrants? The resolution of these questions casts light not only on Soviet decision making, but also on the complexity of recent nationality policy and on the direction of Gorbachev's reforms.

The Genesis of the Emigration Movement

The historical experience of Soviet Jews, the status of Judaism and secular Jewish culture, and the position of Jews in Soviet society created the impetus for emigration. So too did the emergence of state-sponsored anti-Zionism, which was often indistinguishable from popular anti-Semitism. While some measures affecting Soviet Jewry were designed specifically to address circumstances relating to Jews, others were the consequence of broader policies regarding the nationalities and modernization.

Discontent and alienation among Soviet Jews manifested themselves as a consolidated drive for emigration when a variety of domestic circumstances, some of which had been building for a number of years, and a series of international events converged in the late 1960s. The legacy of the destructive measures against Judaism and the Jewish nationality initiated by Stalin, discriminatory acts that impeded or prevented altogether access of Jews to various professions and educational institutions, and pivotal international incidents such as the 1967 Arab-Israeli war comprised some of the decisive factors. When the possibility of emigration became viable in the late 1960s, it presented for many Soviet Jews the only feasible solution to their dilemma.

The endurance of Zionist sentiments and Jewish national consciousness contradicted Marxist theory on the nationalities, in which class unity would erode national distinctions. The horrors of the Holocaust and what has been termed the Black Years of Soviet Jewry (1939–1953) had initiated the reawakening of Jewish identity in the Soviet Union. Many Jews felt betrayed by their country's lenient treatment of Soviet citizens who had perpetuated the anti-Semitism of the Nazis, and by the failure of the Soviet Union to recognize and commemorate the suffering of Soviet Jews in World War II.[2] The purges and show trials in the 1930s and 1940s had also left a devastating mark.

Following the end of the war, two types of Zionist circles arose. The first was comprised of individuals in the annexed areas who had formerly (before the annexations) been involved in Zionist activity.[3] They sought to locate their relatives

[2] See Benjamin Pinkus, "National Identity and Emigration Patterns Among Soviet Jewry," *Soviet Jewish Affairs* 15 (November 1985): 12.

[3] In 1939 and 1940 the eastern sections of Poland, Bessarabia (Moldavia), North Bukovina, and the Baltic states of Latvia, Lithuania, and Estonia were annexed by the Soviet Union.

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dispersed by the Holocaust and deportations and emigrate to Palestine. Newer, mostly younger Zionists formed groups in the Ukraine, Moldavia, and the Baltic Republics. The members of these circles viewed emigration as a solution to their discontent.[4] The creation of the state of Israel in 1948, the USSR's support for Israel's statehood, and the arrival in Moscow of Golda Meir, the first minister of the Israeli legation, brought great pride for both groups of Zionists.[5] However, this period was not devoid of serious obstacles for the Zionists, for it coincided with the campaign against bourgeois nationalism and cosmopolitanism, resulting in arrests of Zionists and other Jews.

After Stalin's death in 1953 and the subsequent thaw, some of the Zionists who had ceased their activities during the 1948–1953 Black Years renewed their commitment to Israel. For the most part their efforts consisted of meeting to celebrate Jewish and Israeli holidays. By 1957, younger Jews, whose support for Israel grew in response to the 1956 Sinai campaign, became increasingly involved. In Moscow, the presence and propaganda efforts of Israelis at the 1957 International Youth Festival fostered additional interest in Israel. Also at this time, Jews began to use synagogues as a place to meet, exchange information, and express their solidarity. In the 1960s, other developments, such as contacts between Israeli tourists and Soviet Jews, circulation of *samizdat* (self-published) works about Israel, Jews, Jewish history, and *samizdat* translations of classic Hebrew and Yiddish literature into Russian also grew more frequent. While many of the leading Zionist activists were arrested during 1957–1966, the arrests only served to spur the creation of new leaders, adding momentum to the burgeoning movement.[6]

By 1968–1969, significant international events—principally the 1967 Arab–Israeli war, the officially-sponsored anti-Semitism in Poland, and the 1968 Soviet invasion of Czechoslovakia—provided the external stimuli that caused Soviet Jewish Zionist, cultural, and religious leaders to conclude that domestic reform in the Soviet Union would be impossible. The creation of the state of Israel, family ties in the West, previous exposure to emigration primarily as a result of the Soviet–Polish Repatriation Agreement (effective from 1957–1959), and the impression that new opportunities for emigration seemed possible all contributed to the emerging view that emigration offered a solution.

Statements regarding Jewish emigration to Israel made during the 1956–1964 years of the Khrushchev period supported the idea of reunification of families as a viable option for the Jews. One of the most important indications came during Chairman of the Council of Ministers Alexei Kosygin's December 1966 visit to Paris early in the Brezhnev years. Kosygin stated at a press conference: "If there are some families divided by the war who want to meet their relatives outside the

[4] Benjamin Pinkus, *The Jews of the Soviet Union: The History of a National Minority* (New York: Cambridge University Press, 1988), 310.

[5] See Yehoshua A. Gilboa, "The 1948 Zionist Wave in Moscow," *Soviet Jewish Affairs* 2 (November 1971): 35–39.

[6] For full details see Pinkus, *The Jews of the Soviet Union*, 312–14.

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USSR or even to leave the USSR, we shall do all in our power to help them. The way is open to them and will remain open to them and there is no problem."[7]

Aside from cultural and religious motivations, the limits placed on the admission of Jews to institutions of higher education also prompted many Soviet Jews to consider emigration. A *numerus clausus* (quota) instituted in the late 1940s had diminished future opportunities for Soviet Jews. Moreover, the policy of developing national cadres, combined with a simultaneous demand for greater representation by less professionally saturated nationalities, restricted Jews from positions of power and authority in administrative posts, the party, the army, and the foreign service. At the same time, increased competition for jobs in the arts and sciences traditionally held by Jews heightened national tensions and in some cases intensified anti-Semitic attitudes. Many of the Jews affected by the *numerus clausus* and cadres policy responded by developing a stronger ethnic identity, which was manifested by religious observance and/or a commitment to Zionism.

The Soviet Jews were emboldened by the example the various dissident movements had set in their campaigns for greater human rights, democracy, and religious and other freedoms in the Soviet Union.[8] Following the dissidents' lead, many Soviet Jews became vocal and aggressive in openly demanding their right to emigrate. However, unlike the dissident groups, the Jewish emigration movement did not strive for internal reform. For those Jews who had lost hope for the possibility of living in the Soviet Union as Jews (in the broadest sense of the word) and those who were convinced that as Jews they would never be able to integrate fully into Soviet society, emigration was the sole goal. In many cases Jewish activists used the broader framework provided by the body of international human rights principles to make their demands. They based their campaign for emigration on the universal right of freedom of movement, incorporated in Article 13(2) of the 1948 Universal Declaration of Human Rights (UDHR): "Everyone has the right to leave any country, including his own, and to return to his country" and the 1966 International Covenant on Civil and Political Rights (ICPR), which states in Article 12(2): "Everyone shall be free to leave any country, including his own."

The Emigrants and their Motivations for Leaving

The first period of mass emigration (1968–1973) was characterized by an emigrant pool drawn largely from Georgia, the Baltic republics, Transcarpathia, the western Ukraine (primarily Bukovina), and Moldavia. Bukharan and mountain Jews constituted smaller percentages. The over-representation of *zapadniki* (westerners) from the western republics on the periphery of the Soviet Union and Georgian Jews

[7] Quoted in "Many Jews are Reported Seeking to Leave Soviet," *New York Times*, 2 January 1967.

[8] For a history of the various dissident movements, see Ludmilla Alexeyeva, *Soviet Dissent: Contemporary Movements for National, Religious, and Human Rights* (Middletown, Conn.: Wesleyan University Press, 1985).

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reflected the lower rate of Jewish assimilation in those areas. Although the majority of Soviet Jews reside in the Soviet heartland (the territory longest under Soviet rule)[9] the bulk of the 1968–1973 emigration was from the annexed areas, Georgia, and Central Asia, which are regions where less than 20 percent of Soviet Jews lived. The reasons for this imbalance have as much to do with the Soviet Jews themselves as with the Soviet authorities.

Jews in the southern republics and the annexed territories, who had retained a greater attachment to Jewish culture and/or religion, were less "Sovietized" than the more assimilated Jews from the Soviet heartland. The periphery Jews also had firmly rooted Zionist aspirations. Indeed, among the Jews of the periphery, Zionism was the strongest motivating factor for emigration to Israel. Family reunification and religious considerations were also important determinants for this group, especially among the elderly. For the Baltic Jews in particular, their well-established ties with western Jews and previous exposure to emigration, primarily as a result of the Soviet-Polish Repatriation Agreement, were additional factors contributing to the decision to leave the Soviet Union.[10]

Preference for the United States and other western countries rather than Israel as a final destination highlights the declining importance of Zionism to emigrants after 1973. Many of the post-1973 emigrants identified themselves more strongly as Russians than as Jews. Mostly educated urban professionals, their high level of assimilation reflected the predominance of heartlanders among them. As the group of emigrants began more closely to correspond to the geographic distribution of Soviet Jews, the chief considerations prompting the decision to leave the country changed. Factors that were not principally important to the earlier emigrants became more significant to the later group. Letters sent from recent emigrants to friends and family remaining in the Soviet Union detailed negative experiences in Israel resulting from absorption difficulties, high inflation, competition for professional jobs similar to those held in the USSR, and the compromises necessitated by life in a country surrounded by hostile neighbors. This news had greatest impact on those who lacked a strong Zionist commitment and, therefore, did not feel particularly drawn to Israel. By 1979, when the number of emigrants peaked at more than 50,000, the majority were choosing to settle in the United States.

Surveys of the emigrants from this period revealed that discrimination on the basis of nationality, cultural or political motivations, economics, and family re-

[9] The largest percentages of the Jewish population live in the Russian republic (RSFSR) (38.7 percent), the Ukrainian SSR (35.0 percent), and in the Belorussian SSR (6.6 percent). These figures are based on population distribution statistics in *Vestnik statistiki* 2 (1980): 27–28.

[10] The Soviet-Polish Repatriation Agreement was effective from 1957 to 1959. It repatriated about 200,000 Poles, 30,000 of whom were also Jews. Victor Zaslavsky and Robert J. Brym, *Soviet-Jewish Emigration and Soviet Nationality Policy* (London: Macmillan Press, 1983), 32–35; Yochanan Altman and Gerald Mars, "The Emigration of Soviet Georgian Jews to Israel," *Jewish Journal of Sociology* 26 (June 1984): 35–45.

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unification were the chief factors motivating decisions to emigrate.[11] The survey findings showed that the most assimilated Soviet Jews left the USSR for cultural and political reasons, whereas those from the annexed areas, who more openly identified themselves as Jews, attributed their emigration to ethnic (including Zionist) and economic factors. The lesser-educated, rural Jews were motivated primarily by economic considerations.[12] These results reflected the views of the majority of emigrants after 1976, namely, those who chose not to go to Israel.

The 1970s as a Period of Expansion

Emigration policy has been shaped by what may be termed primary and secondary factors. Primary factors are those that are directly responsible for and/or have a discernable impact on policy decisions. Secondary factors are those that accrue as positive or negative results of the policy; they may be important by-products, but they do not themselves drive policy. The primary determinants of emigration policy in the 1970s and beyond related to domestic factors rather than to international relations. Although détente with the West, specifically U.S.–Soviet relations, was the overarching backdrop for the period, it was not a primary factor in determining emigration policy.

The need for western technology and grain, the desire for a Strategic Arms Limitation Talks agreement (SALT I), and the fear of a Sino-U.S. rapprochement were key reasons the USSR pursued détente with the United States. Soviet negotiators surely realized that increased emigration helped to maintain a more relaxed international atmosphere and could be used as a concession to advance the goals of détente. This would seem evident from the fact that Soviet officials were and continue to be routinely made aware through diplomatic channels and the western (primarily American) press of the weight the emigration issue carries domestically in the United States. However, it is doubtful that emigration was orchestrated as part of a grand Soviet scheme to curry favor with the United States. The perspective of time shows that emigration could not have endured if its fate had been linked to that of the U.S.–Soviet relations, a key point that underscores a crucial flaw in the barometer thesis.

[11] See "Leaving the Soviet Union: The Emigrant's Experience" in United States Congress, House Committee on International Relations, *Implementation of the Final Act of the Conference on Security and Cooperation in Europe: Findings and Recommendations Two Years After Helsinki*, Report by the Commission on Security and Cooperation in Europe, 95th Cong., 1st sess., 23 September 1977, 183; Zaslavsky and Brym, *Soviet-Jewish Emigration*, 49–51; James R. Millar and Peter Donhowe, "The Classless Society Has a Wide Gap Between Rich and Poor," *Washington Post National Weekly Edition*, 17 February 1986.

[12] Zaslavsky and Brym, *Soviet-Jewish Emigration*, 61–62. Similar results were illustrated by Gitelman in a survey conducted in 1976 among 244 recent Soviet immigrants in Detroit. Gitelman reported that the heartlanders indicated they left the USSR for reasons of political alienation and anti-Semitism, while the *zapadniki* were motivated by family and economic considerations. See Zvi Gitelman, "Soviet Jewish Emigrants: Why Are They Choosing America?" *Soviet Jewish Affairs* 7 (Spring 1977): 41–43.

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Emigration served a number of Soviet objectives, as did détente itself. If viewed in isolation, the linkage the barometer thesis establishes between détente and emigration seems plausible, for emigration increased in the early 1970s as U.S.–Soviet relations grew warmer. Yet emigration began several years before détente became a significant factor in the U.S.–Soviet relationship. The Soviet Jews themselves created the emigration movement. Although support of western friends and sympathetic governments focused an international spotlight on Soviet Jews, the initial reason the Soviet Jews began a public campaign for their right to leave the Soviet Union was their sense that the time was ripe *internally.*

For a small price, emigration afforded Soviet leaders domestic social, economic, and political benefits. These were the primary reasons the USSR decided to allow Jews to leave. In the initial years, the Soviet authorities calculated that they could curtail the movement by permitting the relatively small group of unassimilable Jews to leave before their activities became an example to others. In particular, the desire to reduce the prospects for a growing movement motivated the decision to permit the emigration of Georgian, Latvian, and Lithuanian Jews, whose departure would eliminate potentially destabilizing elements in areas of the Soviet Union where national identity has traditionally been strong.[13]

A secondary aspect to Jewish emigration in the initial years was its furtherance of a new Soviet approach to managing politically sensitive issues in the international arena. Increasing emigration in the early 1970s enabled the USSR to appear to be acceding to international pressure to improve its human rights performance, while in actuality it was pursuing its own objectives and responding to domestic dynamics. But as the Soviet Jewish emigration movement became a common feature in the western media, the Soviet authorities reacted against it. Perhaps unprepared at first for the magnitude of western concern for human rights issues, Soviet policy makers quickly began to reject foreign intervention into an area they considered entirely a domestic prerogative. As if to underscore that emigration served Soviet goals and not an international agenda, harassment and repression directed at the broad spectrum of dissidents intensified with the increasing number of emigrants. No amount of pressure applied in the spirit of détente or tied to concessions in other areas succeeded in moderating the treatment of Jews involved in activities designed to bring attention to their campaign for emigration (or of dissidents whose activities touched on broader human rights questions). The Soviet posture indicated that détente was not determining the domestic agenda for human rights, and emigration was no exception. While Soviet policy makers recognized that emigration appeased western critics, their actions demonstrated that the reaction in the West was at most a secondary component in setting policy.

[13] During 1968–September 1977, 52.4 percent of Jews from the Georgian SSR, 23.0 percent of the Latvian Jewish population, and 41.9 percent of Jews from Lithuania emigrated. Z. Alexander, "Immigration to Israel from the USSR," *Israel Yearbook on Human Rights* 7, special supplement (Tel Aviv: Tel Aviv University, 1977), 324. (Z. Alexander is a pseudonym for Zvi Nezer).

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Soviet policy makers did not anticipate that the decision to permit emigration would expand rather than shrink the size of the movement. As greater numbers of Jews were granted permission to leave, still more filed applications requesting to emigrate. Because the Soviet authorities had to confront a continually expanding movement, factors motivating decisions on emigration in the early stages, when the proportions of the movement were not yet clear, differed from those that affected judgments in later years. Invitations were sent to 79,711 Soviet Jews during 1968–1971, 67,895 in 1972, and 58,216 in 1973.[14]

As the 1970s progressed, both the domestic and the international parameters affecting emigration changed. The second period of mass emigration, 1974–1979, was characterized by fluctuating emigration levels and the declining importance of Zionism as the chief factor motivating emigration. A corollary to the diminishing relevance of Zionism to would be emigrants was an increase in the proportion of highly educated Jews from the Soviet heartland. The full impact of what is known as the dropout phenomenon—the decision to go to countries other than Israel—was felt during this period as increasing numbers of Soviet Jews chose the United States and to a lesser degree, Australia, Canada, New Zealand, and Western Europe as their final destination.

The domestic factors motivating emigration policy remained the primary ones, although arguments to the contrary abound. Proponents of the barometer thesis argue that the Jackson-Vanik amendment passed by the U.S. Congress in 1974,[15] which linked U.S.–Soviet trade to free emigration, was responsible for the drop in emigration during 1974–1976. However, the evidence casts doubt that there was a direct cause and effect relationship between the amendment and emigration levels. Despite the 1974–1976 drop and the continuous adherence to the amendment since 1974, emigration levels began to increase in 1977 and rose to all-time highs by the end of the decade.

The mid-decade reduction in emigration was a function of the Soviet Union's reassessment of the emigration policy in the wake of the expanding parameters of the movement. This decrease was also conditioned by the would-be emigrants' reevaluation of Israel as their desired destination. Many Soviet Jews delayed filing emigration applications while waiting to hear news about the United States (which faced a deep recession in the mid-1970s) as well as other potential destinations. At the same time, Soviet officials further restricted emigration, thus discouraging would-be emigrants from applying. However, by 1977 emigration levels began to rise again as a result of the emigration policy being relaxed and growing numbers of Soviet Jews choosing to go to the United States.

[14] Alexander "Immigration to Israel," 326. These figures refer to first-request invitations and do not include those requested in order to replace expired invitations. Only a portion of *vyzov* (invitation) recipients eventually apply to emigrate.

[15] See United States, Congress, *Trade Act of 1974*, Pub. L. 93-618, Title IV, § 402, reprinted in *United States Code Congressional and Administrative News*, vol. 2 (1974).

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Emigration increased dramatically at the end of the decade. The number of emigrants was 16,736 in 1977, 28,864 in 1978, and 51,320 in 1979. Nonetheless, as the decade progressed, U.S.–Soviet relations deteriorated. Despite the signing of the Final Act of the Conference on Security and Cooperation in Europe (CSCE) in 1975, tensions flared. The Soviet-Cuban success in Angola in 1975–1976, the strengthened strategic position of the USSR in the Horn of Africa by the end of 1976, the stalled SALT negotiations, and the Sino-American entente were indicative of the deteriorating U.S.–Soviet relationship. Tension between the superpowers escalated, reaching a breaking point with the discovery of a Soviet combat brigade in Cuba and the Soviet military intervention in and December 1979 invasion of Afghanistan. These actions caused the Carter administration to reassess its approach to U.S.–Soviet relations, resulting in a partial grain embargo, a ban on the sale of high technology and strategic goods, curtailment of Soviet fishing rights, the request by Jimmy Carter for withdrawal of the SALT II treaty from Senate consideration, and the U.S. boycott of the 1980 Moscow Olympics.

If emigration were a barometer of U.S.–Soviet relations, these negative factors should have combined to stall or impede emigration, yet they did not. Proponents of the barometer thesis point instead to legislation in the summer of 1979 superceding the Stevenson amendment, which was one of the 1974 Export–Import Bank amendments. It limited the dollar value of credits the Export–Import Bank could grant to the Soviet Union to $300 million during a four-year period and required congressional approval for any decision to exceed the $300 million ceiling.[16] They also pointed to rumors that the waiver to the Jackson-Vanik amendment would be invoked in 1979. The waiver can be invoked by the president if it will substantially promote the objective of free emigration and if the country under consideration provides assurances that its emigration practices will more closely reflect the objectives of the amendment. A waiver is to remain in effect only for a specified period and may be extended annually if approved by a concurrent resolution of both houses of Congress. Barometer thesis proponents thought the U.S. Senate debate on ratification of the SALT II treaty was a factor motivating the tremendous increase in emigration at the end of the decade.

The barometer thesis analysis of emigration trends has several flaws. First, it is internally inconsistent, for it does not account for large-scale emigration during years of tense relations (1976–1979): the number of Soviet Jewish emigrants rose during the last four years of the 1970s despite the lack of major improvements in U.S.–Soviet relations. Second, in the context of poor relations, the barometer thesis does not satisfactorily explain why the Soviet Union would pay an unduly large price with little guarantee of a positive return. Third, the one-to-one correlations the barometer thesis establishes between annual emigration levels and sig-

[16] See United States, Congress, *Export-Import Bank Amendments of 1974*, Pub. L. 93–646, § 8, reprinted in ibid.

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nificant events in the U.S.–Soviet relations are methodologically unsound because they do not leave room for time lags in policy implementation.

The pattern of Soviet German emigration during these same years adds further evidence that weakens the barometer thesis. Despite improvement in West German–Soviet relations during the late 1970s, Soviet German emigration was curtailed after 1976.[17] Thus, on the one hand, while U.S.–Soviet relations deteriorated, Jewish emigration increased; on the other, while West German–Soviet relations grew warmer, German emigration was reduced. These trends indicate that the international climate was not determining the flow of emigration.

The increase in emigration during the latter half of the 1970s suggests that détente was the major secondary motivation for mass emigration but was not the essential determinant during the decade. Instead, emigration policy in the second half of the 1970s was conditioned by issues relating to the process of elite integration, which was designed to neutralize independence and disaffection among the national elites by promoting allegiance to the system through expanded professional and educational opportunities. The policy was also affected by the decision to diffuse some nationality tensions by fueling anti-Zionist sentiments and by the need to confront the demands of a significant segment of the population that could not, as was the case during Stalin's rule, merely be imprisoned as a solution. The fluctuations in emigration rates and the inverse levels of Jewish and German emigration indicate that although there may have been a consensus regarding the Soviet Union's broad goals internationally, emigration played little or no role in attaining them in the late 1970s.

1980 TO 1986: THE TWILIGHT YEARS

Soviet Jewish emigration during the first half of the 1980s was drastically reduced from the level of the previous decade. Emigration fell from the 1979 total of 51,320 to annual levels of 21,471 (1980), 9,447 (1981), 2,688 (1982), 1,314 (1983), 896 (1984), 1,140 (1985), and 914 (1986). This decrease was accompanied by a correspondingly significant increase in the number of refuseniks (Jews who applied for and were denied permission to emigrate). Additionally, the late 1970s practice of suppressing Jewish religious and cultural activities and harassing Jewish activists—including but not restricted to the use of imprisonment for religious and ideological beliefs—was expanded.

Proponents of the barometer thesis argue that the progressively deteriorating superpower relationship in the early 1980s led to the diminished emigration levels in the first half of the decade. Although both the sanctions imposed by the United States in response to the December 1979 Soviet intervention in Afghanistan and

[17] German emigration reached 9,701 in 1976. Annual levels dropped to 9,274 (1977), 8,455 (1978), 7,226 (1979), 6,954 (1980), 3,773 (1981), 2,071 (1982), 1,447 (1983), 913 (1984), 460 (1985). The number of German emigrants rose to 753 in 1986 and to astounding highs of 14,488 during 1987 and 47,572 in 1988.

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the withdrawal of the SALT II treaty from Senate consideration may have played a secondary role in Soviet emigration policy throughout 1980 and beyond, it would be difficult to substantiate an argument that those actions were responsible for initiating the rapid decline. Strained relations, while unquestionably harmful to a range of U.S.–Soviet initiatives, were not the primary determinant of emigration in the 1980s. For one, the monthly number of exit visas for Soviet Jews had begun decreasing as early as November 1979, casting doubt on claims that the reduction was a direct outcome of United States sanctions in response to the December 1979 Soviet intervention in Afghanistan. It is also doubtful that an anti-emigration policy was engendered by the January 1980 congressional approval of the Sino-U.S. bilateral trade agreement, which granted the People's Republic of China most-favored-nation status. Similarly, the decline in Soviet German emigration during the early 1980s was the continuation of a process that had begun during a period of relatively good Soviet-West German relations in the 1970s. Evidence from the 1970s indicated that a cordial atmosphere was neither a prerequisite nor a determinant of emigration, a premise bolstered by the patterns of the 1980s. While an anti-emigration policy was not inconsistent with the progressive deterioration of U.S.–Soviet relations, the primary mechanism driving emigration policy was the maturing of several domestic issues of the 1970s into full-blown crises in the 1980s.

Economic, demographic, and leadership uncertainties posed considerable challenges to the Soviet Union by the beginning of the new decade. The cumulative effect of internal Soviet developments on emigration was a dramatic limitation on the number of emigrants during 1980–1986. Jewish emigration fell to 914 in 1986 and German emigration dropped to 460 in 1985 (rising only slightly in 1986), seemingly indicating the virtual cessation of emigration. Emigration policy in the 1970s was a response to Jewish national consciousness, provided a new option for channeling anti-Jewish sentiment, offered a mechanism for resolving nationality tensions, and was an attempt to purge the country of unwanted citizens whose demands for emigration could incite disaffection among others. But as the 1980s began, the effect of changing circumstances in the USSR prompted a reevaluation of prior policy and diminished the attractiveness of emigration as a mechanism for addressing the issues it had served in the 1970s.

By 1980 the diffusion of power and attendant paralysis of the system caused by Leonid Brezhnev's weakening grip sharpened the fault lines within the leadership. The lack of consensus had a negative impact on emigration, as the notion that events were spinning out of control led to increased restraints. Indeed, in the beginning of the 1980s, decreasing emigration levels went hand in hand with increasing repression. Renewed opposition to emigration was congruous with the introspective, isolationist position the Soviet Union assumed in the first half of the decade. Old age and conservatism in the leadership spelled a return to more traditional methods of handling demands for emigration. Notwithstanding Yuri Andropov's short tenure, no serious indications that an end to the stagnation and muddling through of the late Brezhnev years were evident until after Gorbachev became general secretary in 1985. With a political backdrop of uncertainty and

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multiplying economic, demographic, ethnic, and labor problems, the Soviet Union was not prepared to countenance emigration in the early 1980s.

As changes in the demographic situation made themselves felt, compounded by the need for wide-ranging economic reform, the predominantly Slavic leadership was forced to face important decisions regarding how to secure its own power base, manage the increased assertiveness of non-Russian nationalities, allocate jobs and resources, stimulate the economy, and rectify the disparity between centers of population and regions of industrialization.[18]

Additionally, in light of the growing problems, policy makers surely recognized that family reunification would be a never-ending process. Indeed, by 1980 it was apparent that controlled emigration had led to the departure of approximately 12 percent of Soviet Jewry. Uniting some family members through emigration invariably creates new family separations, and the leadership took measures to slow emigration with an eye toward eventually terminating it.

The scale of actual and potential Soviet Jewish (and German) emigration could not be ignored during a time of declining economic and population growth. Statistical data indicate that the growth rate for the entire Soviet population has slowed since the 1950s.[19] The full impact of low birth rates (lower in the 1960s than in any period of Soviet post-World War II history) would be felt in the second half of the 1980s, as the children of the late 1960s attained working age. The departure of large numbers of individuals at a time of a growing labor deficit could not have been looked upon favorably.

Historical legacies (predating the Soviet period, yet characterizing it as well) and Marxist-Leninist ideology had created an entrenched mistrust of things foreign, as well as an emphasis on the collective rather than on the individual.[20] During a stressful and uncertain time, the prominence of these fundamental beliefs grew stronger, forming a hostile environment for emigration, which even in the best of times has been restricted. In a period when the Soviet leadership was unable

[18] For detailed discussions see Ann Helgeson, "Demographic Policy" in Archie Brown and Michael Kaser, eds., *Soviet Policy for the 1980s* (London: Macmillan Press, 1982), 139–45; Gail Warshofsky Lapidus, "Social Trends" in Robert F. Byrnes, ed., *After Brezhnev: Sources of Soviet Conduct in the 1980s* (Bloomington: Indiana University Press, 1983), 200–32.

[19] Whereas the natural population increase was 17.8 per thousand in 1960, the figure had fallen to 8.0 per thousand in 1980, and was projected to decline even further to perhaps less than 2.5 per thousand in the year 2000. See Godfrey S. Baldwin, "Population Projections by Age and Sex: For the Republics and Major Economic Regions of the U.S.S.R. 1970 to 2000" in *International Population Reports*, Series P-91, No. 26 (Washington, D.C.: U.S. Department of Commerce, Bureau of the Census, Foreign Demographics Analysis Division, 1979), 14. Baldwin uses a projection series (high, medium, low) for natural increase rates in the year 2000. His projections are 8.4, 5.5, and 2.4 per thousand, respectively. According to *Narodnoe khozyaistvo SSSR v 1985 godu: Statisticheskii ezhegodnik* (Moscow: Finansy i Statistika, 1986), 33. The natural population increase in 1985 rose slightly to 8.8 per thousand. It remains to be seen whether the long-term western forecasts for continued decreases will prove accurate.

[20] See Alan Dowty, *Closed Borders: The Contemporary Assault on Freedom of Movement* (New Haven, Conn.: Yale University Press, 1987), 63–76.

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to chart a clear course, it would have been difficult to marshall an effective pro-emigration policy.

Emigration in the Gorbachev Period

The domestic crises that precipitated the drastic emigration cutback of the early 1980s formed the backdrop for the comprehensive policy review undertaken upon Gorbachev's accession to the general secretaryship. As Gorbachev began consolidating authority over the Soviet decision-making apparatus and unveiled the initial plans for *perestroika* (restructuring) and the accompanying *glasnost* (openness), the policy of curtailing Jewish and German emigration was abruptly abandoned, signaling a dramatic change from existing policy. The emigration of both groups mushroomed in 1987, followed by additional acceleration in 1988 and 1989. Jewish emigration reached 8,155 in 1987, 18,965 in 1988, and 41,886 in the first nine months of 1989.[21]

Proponents of the barometer thesis maintain that the increase in emigration paralleled improving U.S.–Soviet relations. But the accelerated Jewish emigration of 1987 did not derive from the renewed warmth in U.S.–Soviet relations; nor was it intended to enhance relations before the Reagan-Gorbachev summit meeting held in December 1987. Indeed, exit at the 1987 level had not occurred prior to either the 1985 Geneva summit meeting or the 1986 summit held in Reykjavik. Only in light of Gorbachev's overall policy objectives can the sudden shift that began in 1987 be understood; its depth and nature grew as Gorbachev's plans took root and began to flower.

Emigration in 1987 signified the partial resolution of the estimated 11,000 refusenik cases,[22] as opposed to a sizable increase in the number of new, first-request applicants. At the beginning of the year, Soviet officials pledged to review emigration applications in a more timely fashion and to resolve contested visa decisions and permit the eventual emigration of the refuseniks.[23] Approximately 77 percent of the 1987 emigrants had formerly been refused permission to emigrate.[24] The new posture would allow the USSR to rid itself of discontented, mobilized emigration activists whose talents the Soviet Union had already lost, since many refuseniks had been dismissed from their jobs upon applying to emigrate. The emigration of the refuseniks dovetailed with Gorbachev's goal of establishing a

[21] The number of German emigrants far exceeded that of Jews, reaching 14,488 in 1987 and 47,572 in 1988 and 33,424 in the first seven months of 1989.

[22] A comprehensive listing of refuseniks in mid-1986 included data on 11,137 Soviet Jews. The data is contained in *A Uniquely Jewish List-The Refuseniks of Russia* (New York: Anti-Defamation League of B'nai B'rith, 1986). An analysis of the data may be found in Mordechai Altshuler, "Who are the 'Refuseniks'? A Statistical and Demographic Analysis," *Soviet Jewish Affairs* 18 (Spring 1988): 3–15.

[23] See *Pravda*, 19 January 1987; *New York Times*, 30 March 1987; *New Times* (Moscow), 20 July 1987, 24–26.

[24] This statistic is based on unpublished data compiled by the Israeli government.

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credible commitment at home and abroad to the rule of law. Reducing the number of divided families actively seeking reunification established a renewed intent to adhere to the Final Act of the Conference on Security and Cooperation in Europe, which addressed, inter alia, divided families. In addition, quickly solving the refusenik situation would free Gorbachev from the legacy of the problem and allow him to focus on more pressing issues.

Although it diverged from past practices, Gorbachev's approach to the refusenik problem did not at first appear to herald a momentous change in the anti-emigration stance of 1980–1986. Despite the less restrictive approach toward refuseniks, barriers remained and unimpeded emigration was far from a reality. The predominance of refuseniks and the relatively small percentage of first-request (or new) applicants buttressed the then prevailing opinion that heightened emigration would be short lived. So too did the 1987 amendments to the emigration decree of the USSR Council of Ministers, which restricted the permissible grounds of emigration to reunion with first-degree family members, defined as spouses, parents, or siblings. The amendments also codified the reasons for which exit may be refused, such as knowledge of state secrets, infringement on rights and interests of other Soviet citizens, and outstanding obligations to state, cooperative, or other public organizations. The decree established the legal foundation for emigration, as well as the potential to impede emigration via its restrictive eligibility rules.[25]

However, the composition of the emigrant pool in 1988 suggested that a decision had been made to expand emigration. While 77 percent of the emigrants in 1987 had formerly been refuseniks, slightly less than 50 percent of the emigrants during the first seven months of 1988 had previously been denied permission to leave.[26] Moreover, a numerical increase in German emigration, which reached record highs and exceeded growth in Jewish emigration, as well as a rise in Armenian emigration occurred. The sudden and dramatic surge in the emigration of all three nationalities spelled a policy reversal.

At first glance, the new emigration policy appears counterintuitive. The *perestroika* reforms emphasize efficiency, skill, quality, technological progress, entrepreneurial endeavors, and cost effectiveness. *Demokratizatsiya* (democratization) has become the rallying principle for social, economic, and political renewal. The support of skilled professionals and creative participation by the intelligentsia are among the numerous prerequisites for successful reform. Since Jews, based on their socioeconomic position, have the potential to contribute to and benefit from *perestroika*, expanded emigration could mean a loss of valuable resources. Moreover, with respect to democratization, restricting emigration to select groups would seem to be increasingly indefensible and could easily lead to demands by other nationalities for free emigration. Expanding the emigration of particular

[25] See Resolution of the USSR Council of Ministers, "On Making Amendments to the Regulations on Entry into the Union of Soviet Socialist Republics and on Exit from the Union of Soviet Socialist Republics," *Sobranie postanovlenii Pravitelstva SSSR* (Section one), No. 31, 1986, Item 163, 563–66.

[26] Data on refuseniks in the 1988 emigrant pool was available only through July 1988.

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groups without providing similar opportunities for others might occasion a backlash by those passed over.

Yet further analysis reveals that the policy reversal is rooted in domestic considerations. While many of the concerns that motivated the drastic curtailment of emigration in the early 1980s had not dissipated, the growing stability and revitalizing force of Gorbachev's leadership began to affect every aspect of Soviet policy, and emigration proved no exception. New concern for the rule of law, the expansion of the limits of tolerated public debate, and a palpable desire for real change ushered in new policies and expanded opportunities. Increased emigration is a manifestation of the internal processes under way in the Soviet Union. The relaxation of emigration restrictions reflects the broad trend toward decentralization, and *glasnost* and *perestroika* shape the policy.

As *glasnost* engendered greater willingness among Soviet citizens to expose the flaws and vulnerabilities of their system, questions concerning freedom of movement and choice of residence within the USSR emerged as significant issues.[27] In this new atmosphere, the Soviet leadership had only two choices with respect to emigration: it could continue to impede almost all emigration, or it could permit greater emigration. The former option held little promise. Past experience revealed that the desire to emigrate would not cease. Indeed, even during the most restrictive period, 1980–1986, the demand for emigration remained strong among activists, albeit circumscribed by the repressive situation. Continuing a stringent emigration policy would contravene *glasnost*, the new image of party and government responsiveness, and the renewed commitment to the integrity of international documents such as the Final Act. On the other hand, deciding to increase emigration and at the same time offer incentives that might encourage people to *choose* to remain in the USSR, would embody the spirit of democratization. And retaining control over the scope of emigration would enable the leadership to act in concert with *glasnost* and democratization, yet ensure that emigration not grow into a mass phenomenon, detracting significant attention, energy, and skilled professionals from *perestroika*.

Popular discontent over shortages of goods and the slow pace of reform haunted Gorbachev in 1988 and 1989, suggesting that achieving economic *perestroika* would be no easy task. The ultimate effect of these and other difficulties on Jewish emigration is uncertain. At the very least, in order to encourage Jews to remain in the USSR and participate actively in *perestroika*, discriminatory practices will have to be curtailed significantly or ended altogether, and employment and educational opportunities will have to be expanded. In addition, as is clear from the growing numbers of people who have emigrated since restraints were loosened after 1986, there remains a fairly large number of individuals who will seek to emigrate regard-

[27] See, for example, Viktor Perevedentsev, "Domicile Registration Reappraised," *Moscow News*, 22–29 May 1988, 3. See also Perevedentsev's subsequent article on this subject, "Domicile Registration and *Perestroika*," *Moscow News* (28 August–4 September 1988), 2.

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less of *perestroika*. In fact, many have been prompted to emigrate because they sense that greater liberalization has enhanced their chances of receiving permission to emigrate.

A series of ethnic crises and the increasingly forceful demands of some nationalities in the Soviet Union has also contributed to the modicum of flexibility that now marks emigration policy. Indeed, *glasnost* has reinvigorated many of the issues at the root of ethnic discord in the Soviet Union: controversial language and cultural policies, national autonomy, territorial rights, religious tolerance, cadres policy, and regional inequalities. On a case by case basis, the leadership has chosen to tolerate an expanded though not open-ended level of dissension. While such sanction does not extend beyond an unwritten but often perceptible limit, the degree of "cooperation" afforded various ethnic groups and an attitude receptive to compromise mark a distinct change.

Emigration exemplifies the new approach. The emigration of Jews has increased significantly, and Soviet Jews who apply to leave, practice their religion, or participate in Jewish cultural activities are no longer routinely harassed. Nonetheless, Jewish activists, especially the remaining refuseniks, continue to face impediments to emigration and, occasionally, harsh treatment.[28] In this regard, despite changes in official tone, substantive transformations have been slower.

During the post-1986 phase of emigration, Soviet Germans have also sought to seize the opportunity to emigrate. Fear of missing the moment created a "push" factor for Soviet Germans, and obvious economic incentives induced a "pull" force toward the Federal Republic of Germany (FRG). But the astounding number of emigrants since 1986 (14,488 in 1987, 47,572 in 1988, and 33,424 in the first seven months of 1989) is disproportionate to all previous levels of German emigration in the contemporary period, when the number never rose above 9,704. Perhaps the acceleration will spell the beginning of a move toward genuinely free emigration, but it is still too early to tell. The desire for joint ventures and greater trade with the Federal Republic of Germany might have motivated a surge in German emigration. But alone it cannot explain the current inflated levels—a point that further reveals the continued inadequacy of the barometer thesis as a means of understanding Soviet emigration policy.

There was a great deal of consternation within the FRG in 1988 and 1989, when the influx of Soviet and other Germans from the East began to strain existing resources. The emigration of Germans from Poland also increased enormously, growing from 27,188 in 1986 to 48,423 in 1987 and 140,226 in 1988.[29] Recent unemployment and economic problems in the FRG exacerbated tensions, leaving no doubt that with perhaps the exception of the growing number of East German immigrants, there was little interest among the West German populace for seeing emigration increase so markedly.[30]

[28] See National Council for Soviet Jewry of the U.K. and Ireland, *Jews in the U.S.S.R.* vols. 27 and 28.

[29] These figures are from the Deutsches Rotes Kreuz.

[30] See Robert J. McCartney, "Thousands from East Bloc Drawn by Westward Hopes," *Washington Post*, 31 March 1989.

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Conclusion

The periods of emigration over the past twenty years reveal the changing dynamics of the Soviet domestic scene. Emigration in the early 1970s reflected a means of managing an unassimilable portion of the Soviet Jewish population, as well as a new approach for handling an issue of particular sensitivity in the international arena. However, by the early 1980s a series of domestic crises had overwhelmed the USSR, resulting in the contraction of emigration policy. In the most recent era of *glasnost* and *perestroika*, emigration has reflected Gorbachev's attempt to effect viable change and create a society in which citizens are satisfied with what their country has to offer. In part, this has been encouraged by destroying the vestiges of the Stalinist system.

Contemporary treatment of nationality grievances, including emigration, is an important indicator of Gorbachev's ability to refashion society by establishing new standards of behavior. As the nationalities increasingly challenge the system by forcing discussions and policy determinations on a wide range of issues, Gorbachev will be compelled to formulate a coherent policy. It is not yet clear precisely what sort of society Gorbachev envisions, but as he charts a course he will undoubtedly (and indeed is already beginning to) address questions of freedom of movement, repatriation, and reunification of family. Emigration policy is thus a useful indicator of the magnitude and direction of reform in the Soviet Union.*

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Book Reviews

Moving Targets: Nuclear Strategy and National Security *by Scott D. Sagan. Princeton, N.J., Princeton University Press, 1989. 237 pp. $19.95.*

In fairness to the author, I present a double review. I first evaluate his book in terms of its assumptions and objectives. I then offer a critique of those assumptions—the principal one being that "we have maintained a secure nuclear peace because American decision makers were not complacent about the bomb" (p. 3). I believe this assertion to be incorrect, dangerous, and anachronistic.

The premise of the book is that it is both necessary and possible to design a counterforce doctrine and force posture that does not intensify crisis instability. Toward this end, Sagan makes the case for a nuclear arsenal that threatens Soviet leadership and reserve forces as necessary for successful deterrence. To limit crisis instability, the risk of accidental war, and Soviet perceptions of American aggressiveness, he argues for a renegotiated antiballistic missile treaty that would allow restricted defenses of leadership and missile silos, continued arms control along the lines pursued by the Reagan administration, and a series of unilateral changes in military procedure and crisis management.

Sagan develops his argument in a succinct and well-written manner and his presentation is devoid of much of the jargon that makes so many tomes on strategy inaccessible to the general reader. The first substantive chapter of the book offers a concise and well-informed history of the evolution of U.S. strategic doctrine. This chapter and others benefit technically from the author's experience with the Organization of the Joint Chiefs of Staff as a Council on Foreign Relations fellow. The book must be judged an excellent, although not particularly original, exposition of the "liberal defense establishment" point of view.

I do not agree with Sagan that successful deterrence requires a robust counterforce capability. He defends this need by reference to Soviet military writings that indicate the theoretical possibility of victory in nuclear war. He dismisses General Secretary Mikhail Gorbachev's pronouncements about the need for "reasonable sufficiency" to be achieved through deep cuts in strategic forces as likely to exert

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"only a modicum of influence on the actual operational plans" (pp. 63–64). Neither justification is convincing.

Soviet military writings are an old bugaboo, traditionally used by the Pentagon and its civilian allies to justify large and increasingly expensive strategic forces. It has often been pointed out that military writings do not necessarily reflect the thinking of Soviet political leaders. More importantly, many Soviet writings have long contended that a nuclear war could only result in the destruction of both sides. Since Leonid Brezhnev's speech at Tula in January 1977, Soviet political and military leaders have become increasingly uniform and outspoken in their view of the catastrophic consequences of any nuclear war. Why does Sagan prefer to give credence to these older pronouncements?

Sagan's dismissal of Gorbachev is also typical of the Washington defense establishment. The general secretary's call for mutual nuclear disarmament, his desire for deep cuts and restructuring of conventional forces in Europe, and his obvious commitment to wind down East-West tensions triggers deep anxiety in the bowels of the Pentagon. For some, Gorbachev's behavior and statements are so much at variance with their deeply held convictions about the Soviet Union that they are impossible to accept at face value. For others, the objection is more pragmatic; what would the military and defense contractors do without an enemy?

Gorbachev's challenge to restructure Soviet-American relations is not a danger, but an opportunity. It offers the hope of enhancing American security while simultaneously reducing crisis stability through a series of far-reaching arms control and political agreements. What is needed on our side is "new thinking" and bold initiatives, not the pallid cold war remedies of the kind offered by Sagan.

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Democratizing Brazil: Problems of Transition and Consolidation *edited by Alfred Stepan. New York, Oxford University Press, 1989. 404 pp. Cloth, $35.00; paper, $14.95.*

This book explores Brazil's transition away from a harsh authoritarian regime. Begun in 1974, the transition has not ended; Brazil's armed forces continue to play a significant role in its politics and the civilian president who assumed office in 1985 was not elected directly by the people. The book's title reflects this ambiguity in Brazil's long transition from dictatorship.

Thomas Skidmore provides a comprehensive account of the 1974–1985 political opening process. Bolivar Lamounier focuses on the usefulness of the many elections held under the authoritarian regime in taking Brazilian politics out of that regime. Lamounier's piece, the book's most intellectually interesting, shows how the regime's electoral rules had the unintended effect of weakening its hold on power.

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Albert Fishlow analyzes macroeconomy policy and performance, explaining them as shaped in part by the regime's political strategy. Edmar Bacha and Pedro Malan assess how and why it was rational for Brazil to accumulate a large foreign debt but why bad investment decisions and eventually managing short-term policies without a strategy created serious problems.

Ralph Della Cava analyzes the consequences of the transformation of Brazil's Roman Catholic church for its ecclesiology, the political transition, and the reappearance of splits within the church. Scott Mainwaring describes the evolution of an important grassroots political movement and also analyzes the problems it encountered as party life revived. Sonia Alvarez studies the politicization of gender issues, contrasting the greater success of feminist politics over reproductive rights than over day-care policies. Margaret Keck looks at the burst of labor union activity since the late 1970s, exploring the paradox of newly vigorous work-place unionism and still weak national politics unionism.

Fernando Henrique Cardoso's occasionally abstract piece reflects on changes in Brazilian society and economy and the move toward democracy in the context of associated-dependent development. Francisco Weffort eloquently explains the appearance of democratic politics as Brazil recoiled from state violence and as attitudes changed concerning two concepts: for the left, the state would no longer be the savior but part of the problem; and, for the left, for many in the business community, and for others, democracy became not just an instrument but a value in itself. Maria do Carmo Campello de Souza gives an overview of problems in the new regime's consolidation. She concentrates on three: the failure of parties to represent societal interests and to govern; the ebb in societal mobilization (except in union work-place activity) in the late 1980s compared to the last decade of military presidents; and the enduring control of the military over much of politics and society.

The book features four debates. The first is with Stepan's previous edited book, *Authoritarian Brazil* (1973), which explained the strength of the authoritarian regime so well that it made it more difficult to understand the transition that began the year after its publication. Lamounier argues that the earlier volume underestimated the ambiguities within the authoritarian regime, undervalued the weight of pluralist ideas in Brazilian tradition, and tended to dismiss the significance of elections and parties.

The second debate is about the state. Has it been strong, as Weffort reminds us about its repressive capacities? Or has it been weak, especially in other areas? Fishlow argues that the state lacked secure control over real resources; experienced growing fiscal difficulties in turning to printing money to finance itself; failed to guide needed structural adjustments; could not elicit much cooperation from private business; and its proliferation of subsidies was a sign of inability to resist societal pressures.

The third debate is about the society. Was the society's activation in the late 1970s a temporary response to an authoritarian situation? The authors want to

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argue that there are prospects for more enduring change, but their evidence—and Campello de Souza's conclusions—cast doubt on that.

The fourth debate is about the impact of state violence. Has Brazil turned forever away from authoritarianism because of the experience of state violence, as Weffort argues? Or, as Campello de Souza notes, "the violation of human rights in Brazil did less to delegitimize the military regime than it did in other Latin American countries (p. 364)," not shutting the door to an authoritarian reinstallation.

This thoughtful book is also a tribute to a lively and talented scholarly community of Brazilianists and Brazilians informed by larger trends in comparative politics; it is richly informative and analytical about Brazil itself.

JORGE I. DOMÍNGUEZ
Harvard University

Lyndon Johnson's War *by Larry Berman. New York, W.W. Norton, 1989. 254 pp. $18.95.*

With this book Berman completes his description and analysis of Lyndon Johnson's Vietnam policy making, focusing here on how the President and his advisers dealt with the growing evidence of a failed military policy during the period 1966–1968. Using recently declassified materials, meetings between Johnson and his foreign policy advisers are recreated with unprecedented fidelity. In the process we see the transformation of Robert McNamara's position on the war—a war for which he had lead responsibility in 1964, expressed doubts that we could win in late 1965, and had lost Johnson's trust by 1967. McNamara was not alone. Berman argues that the change of position between November 1967 and March 1968 by Johnson's unofficial foreign policy advisers, the "Wise Men," was instrumental in convincing the President that the war in Vietnam was no longer winnable. Not all of Johnson's advisers changed their positions. Walt Rostow, Robert Komer, William Westmoreland, and Abe Fortas were adamant in their continued support for the war, but over time were less influential. Westmoreland's role in Vietnam policy formulation is extensively documented here. Berman pictures Westmoreland as Johnson's military alter ego, his "man in the field" whose optimism about the war effort matched and inspired Johnson's. Westmoreland's reassignment from Vietnam to head the Joint Chiefs of Staff "was the first tangible signal that Johnson had accepted the failure of his administration's military strategy in Vietnam" (p. 191).

While the real strength of this book is its description of the advisory nexus within which Johnson operated, to argue that Johnson's war policies were determined solely by advice from those around him is to neglect input from outside the White House. But Berman is ambivalent about the impact of external factors. Congressional opposition to the war, for example, receives scant recognition and the burgeoning antiwar movement receives even less attention. The role of public opinion

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is examined, because Johnson had to have public support at home in order to fight the war in Vietnam. Ultimately, when Johnson realized he could not win the war at home he knew he had to change his war policies; when Walter Cronkite argued on the evening news that the war was unwinnable, Johnson knew he had lost the battle for public support. Even though Johnson was losing public support and his foreign policy advisers were becoming disenchanted with the war, it was Clark Clifford, Johnson's old friend and successor to Robert McNamara as secretary of state, who convinced Johnson that his military policies were flawed and failing, that his hopes and expectations of victory or even stalemate in Vietnam could not be realized.

Although the definitive book on Lyndon Johnson's Vietnam policy is yet to be written, this book takes us a long way in the right direction. Berman's account of the policy-making milieu in the White House during Johnson's last two years in office shows that while the war may have been Lyndon Johnson's, he was not alone.

JAMES J. BEST
Kent State University

Limits to Soviet Power *edited by Rajan Menon and Daniel N. Nelson. Lexington, Mass., Lexington Books, 1989. 230 pp. Cloth, $35.00; paper, $19.95.*

This book consists of seven rather uneven selections loosely organized around the issue of constraints on Soviet power. Four chapters are devoted to internal constraints including economic weaknesses, leadership questions, ethnic issues, and technological shortcomings, all of which have an impact on the Soviet Union's ability to influence events around the world. Three additional chapters are concerned with external issues including the Warsaw Pact, recent changes in the Soviet military capability to project power, and Soviet experience with various Third World countries. The result of all this labor is disappointingly underwhelming. Conclusions are modest, falling well within the range of what most informed readers would have said before reading the article. For instance Dina and Martin Spechler present data (some of it in a nightmare table stretching over three pages that is very difficult to read) to support their contention that the "burdens" of empire may not be as great for the Soviet Union as some other authors have suggested. Their conclusion that economic stringency is causing the Soviets to scrutinize expenditures more carefully seems safe. That the costs of empire are not so great as to require the Soviets to jeopardize "highly valued positions on its borders or overseas" (p. 44) is difficult to disagree with, but also not very enlightening.

The long selection by Judith Thornton presents some information on how and why the Soviet Union is technologically backward and concludes with the observation that for the foreseeable future "technology will still constitute the single

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most important constraint on Soviet power" (p. 125). In the light of what has been said in the press and popular journals in the last few years it would be hard to find anyone who would disagree with that observation.

Mikhail Gorbachev's problems with the various nationalities in Soviet Central Asia are analyzed in an interesting selection by Martha Brill Olcott. Unlike some of the other articles, this one offers a conclusion: "It is hard to imagine a scenario more likely to produce instability in Central Asia than the one Gorbachev himself has contrived to introduce" (p. 87). This is well supported, well argued, and not very obvious. In other words, this is a selection that anyone interested in contemporary Soviet affairs should read.

The chapters devoted to external affairs say little that is new, and in fact do not really seem to be addressed to the question of limits to Soviet power. The first one by Christopher Jones discussing the Warsaw Pact concludes that the Eastern European forces contribute to all missions assigned by the Soviets. Therefore, whatever "limits" the Soviets might experience in Europe are simply ones deliberately set by Soviet leaders themselves. These are obviously different kinds of limits than had been discussed in the chapter on technology, for instance.

The contribution by Michael Klare looks at the Reagan-Weinberger claims of growing Soviet power projection capabilities and discovers, as has been discovered so often after the fact, that the threat was never quite what we were told it was. Casper Weinberger's estimates were excessive, and the supporting evidence provided by the Department of Defense offered such a glowing description of all the neat new toys the Soviets were building that Soviet military officers must have been dumbfounded. The outcome of all this legerdemain is familiar to any American who has lived through various "bombergaps," "missile gaps," "ABM gaps," etc. After spending themselves into bankruptcy, Americans discover that the Soviets did not have such a feared capability after all. Therefore Klare's conclusion that the Soviets have not in fact devoted many resources to military forces that would be primarily used for power projection comes as no surprise.

The selection by Melvin Goodman examines Soviet experience with various Third World client states, but again it does not really address the question of limits to Soviet power. The conclusion informs us that the Soviets have had some success with rather insignificant Third World client states, but have little impact on the major countries in terms of both population and resources in the Third World. Again, while some of the information presented is new, the conclusions seem obvious to anyone keeping abreast of the news.

The concluding essay by Daniel Nelson attempts to tie all of this together into some kind of meaningful whole, but the elements seem too diverse and too widely focused to permit much more than a summary of the various findings, as well as some concluding remarks about the various paradoxes that confront the Soviet Union in its exercise of power. For the general reader who is interested in all of the fascinating events presently occurring in the Soviet Union and who wants to

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understand what Gorbachev is trying to accomplish, this is not the best bet if one has time to read only one book on Gorbachev's Russia.

PHILIP W. DYER
University of Nebraska-Lincoln

Strategic Intelligence for American National Security *by Bruce D. Berkowitz and Allan E. Goodman. Princeton, N.J., Princeton University Press, 1989. 232 pp. $19.95.*

Berkowitz and Goodman set out to update Sherman Kent's classic work, *Strategic Intelligence for American World Policy*, published in 1949. By their own admission, however, they say that this new treatment of the subject was "written for the same reasons but about different problems" (p. ix). Their book provides a competent description of the process of intelligence collection and analysis and presents a rapid overview of the issues that are still viewed as controversial. The authors obviously have depended on their own experience and judgment for many of their observations. On the whole they have given the more complex issues a fair-minded treatment.

If criticism about this book is to be raised, it involves what Berkowitz and Goodman did not seriously address—the interface between intelligence analysts and clandestine services operations on the one hand, and national policy makers on the other. Nevertheless, this book is brief, readable, and crisply efficient in providing a good starting point of reference on the basic elements of the process of intelligence.

In their first chapter, the authors discuss the conditions that led the United States to conclude that it needed strategic intelligence as well as tactical military intelligence during World War II. They trace the development of the National Intelligence Estimates process, although at times they lean toward oversimplification rather than the rough terrain of historical accuracy. They point out the changes over the past thirty years, including the multiplication of consumers, new roles and expectations for intelligence, and above all the "new politics of intelligence" (p. 22), by which they mean impingement on the procedures for protecting secrecy and the broad intrusions of congressional oversight.

In the second chapter, the authors explain the "intelligence cycle" in terms of three steps—determining the requirement, collecting the data, analyzing and disseminating the finished product. They point out that failure in any of these steps will lead to intelligence failure. They also argue that it is best if "the distance between the analyst and the consumer and the analyst and the collection planner" is minimized, and emphasize that "professionalism among intelligence personnel" is necessary to "ensure that policy considerations do not sway judgments" (pp. 62–63).

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The third chapter is devoted to the collection of intelligence. They discuss the old problem of determining the mix of intelligence sources and conclude that "the real issue is what *kind* of information is needed to answer a question" (p. 76).

The fourth chapter deals with some of the most important issues in the book—the overall problems associated with accurate analysis and dissemination of the product. The authors conclude that "intelligence information and judgments are ill-equipped for settling contentious disputes over policy. . . . The general direction of policy is almost always settled by politics, and intelligence is most effective when it is used to assist those who implement policy after it is selected" (p. 109). Many might prefer a more influential role for intelligence in the policy arena, but this book argues the contrary case.

In the fifth and sixth chapters the authors address the problems of making the bureaucracy work. "How do we maintain the stability and efficiency of a bureaucracy for routine intelligence operations, while still providing for the innovation and flexibility that intelligence requires?" (p. 163). The authors are not able to answer the question. They close their account with a solid and memorable observation: "Budgets, personnel, and organizational matters will probably never be as interesting to the outsider as moles and covert action. . . . Yet these issues are the ones that will determine whether the intelligence community is effective in the years ahead . . . " (p. 167).

The final chapter addresses a number of immediate issues associated with funding, personnel, and organization. It stresses the importance of maintaining a base of talented and experienced employees. This judgment is probably the most crucial bit of wisdom in the book.

RAY S. CLINE
United States Global Strategy Council

The Gulf War: The Origins and Implications of the Iran-Iraq Conflict *by Majid Khadduri. New York, Oxford University Press, 1988. 236 pp. $24.95.*

The Iran-Iraq war remains one of the most destructive and puzzling conflicts of the post-1945 era. It broke out in 1980 in the midst of the regional turmoil caused by the Iranian revolution and the Soviet invasion of Afghanistan. It ended unexpectedly in 1988, Iran having been exhausted by the human and economic costs of the confrontation with Iraq and by its much shorter duel with the U.S. flotilla escorting tankers in the gulf.

Writing before the cessation of hostilities between Iran and Iraq, Khadduri seeks to uncover the main causes of the gulf war. "The root cause of the conflict," he argues, "was . . . the Sunni-Shi'i confessional controversy, which divided the house of Islam into two major religious communities" (p. 159). Khadduri presents an informative analysis of the Sunni-Shi'i divide, an account that is at once detailed and accessible to the nonspecialist. He argues that Ayatollah Khomeini's insis-

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tence that the supreme authority of the Imamate be exercised in accordance with Shi'i doctrine and that clerics play a powerful role in the conduct of both religious and political affairs challenged the authority and stability of elites in neighboring countries. Especially because of the considerable size of the Shi'i community in Iraq, Khomeini's efforts to export the Islamic Revolution posed an unacceptable threat to the Ba'ath regime in Iraq. Khadduri convincingly argues that the territorial disputes that were rekindled prior to the outbreak of hostilities were only window-dressing for these more deep-rooted ideological and religious sources of conflict.

Khadduri also presents a thorough and insightful treatment of the diplomatic and legal aspects of the gulf war. By conducting interviews and sifting through the documentary record, he compiles a unique account of the formal and informal negotiations that took place between Iran and Iraq both prior to and after the outbreak of hostilities. The author further broadens the analysis by providing a useful survey of the role of noncombatant regional powers in the war.

Khadduri's account of the formal diplomatic record, while unobtainable elsewhere, at times comes at the expense of deeper probing of the domestic political forces in Iran and Iraq that precipitated the war and shaped its conduct. The book would have been strengthened by further discussion of the domestic dynamics behind the conflict. The book also suffers from occasional overstatement of the author's sympathy for the Iraqi regime. Khadduri's assertion that responsibility for the war falls primarily on Iran is contestable. The use of harsh language in describing Iranian behavior raises further questions about the evenhandedness of the analysis.

Inasmuch as any study of the gulf war requires interpretation of highly emotive and politically charged events and issues, these problems do not jeopardize the importance of Khadduri's book. *The Gulf War* is an insightful and informative treatment of the complex conflict between Iran and Iraq.

CHARLES KUPCHAN
Princeton University

Arms Control: Theory and Practice *by Michael J. Sheehan. New York, Basil Blackwell, 1988. 188 pp. Cloth, $49.95; paper, $17.95.*

Sheehan's is an expert and helpful book on the nature and built-in constraints of arms control. He is forthright about its intrinsic and historical limitations, but he focuses his analysis on the theory and practice of negotiating arms control. As a result we learn much about why arms control can produce some important gains within the structure of a cold war, but we are not told why we should be left stranded within this tale.

Sheehan is plainspoken: the purpose of arms control has never been disarmament or ending the cold war but maintaining strategic stability, that is to say, the

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balance of terror. Despite almost continuous arms talks, that balance has always been based on the worst-case scenario, on steadily moving ahead to new and improved weapons production based on the not-always-correct anticipation of what the enemy might produce next or on what war industry scientists and business people can discover as the next frontier for their enterprise. The result has been the growth of overkill. Thus arms control negotiations, designed above all to reassure public opinion that agreements were being sought, in fact legitimized the arms race, with the United States always in the lead.

Sheehan concludes that arms control accomplished very little during the past thirty years. But, he adds, it succeeded in maintaining security—both powers retained their second-strike capacity—and stability. Neither power disarmed its first-strike capacity. Hence both the United States and the USSR achieved parity in being "impervious to sudden threats" (p. 149). By having created "a more stable nuclear balance and by so doing, avert[ed] war," arms control "has been a complete success" (p. 163).

The author also expresses the view that changing the nature of the competition is much more vital than arms reductions, but confines his book only to the latter subject. This insulation cuts him off prematurely from examining the nature of the "stability" and "security" we have achieved. For example, the United States now has about 4,000 intermediate-range nuclear missiles stationed in Europe, each about three times the magnitude of the bomb that was dropped on Hiroshima. If fired, many would land on allies or on the people now seeking to free themselves from Soviet control. The center of Europe would be turned into a wasteland, with no one—troops or civilians—able to move about. Such weapons would not deter a madman. Is this the only way to deter imaginative or even mediocre leaders?

We have been living inside a drama that no longer corresponds—it probably never did—to the world in which it is being enacted. Some are so deeply wound up in this story that they fear the changing world of Eastern Europe to be destabilizing. It does undo the established way of being and fantasizing and acting. It could free us to see and act afresh.

MANFRED HALPERN
Princeton University

The Defence of White Power: South African Foreign Policy under Pressure *by Robert Scott Jaster. New York, St. Martin's Press, 1989. 204 pp. $39.95.*

Robert Jaster, already well respected for his contributions concerning the international diplomacy of the Rhodesian and Namibian decolonizations, now turns his attention to the heart of the southern African conflict zone, the apartheid republic itself. This trim and informative volume offers a thoughtful examination of South African foreign policy, focusing on the period since 1974, when the Portuguese

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coup fundamentally altered the geopolitical parameters of the region. Although the manuscript was completed before the Namibia settlement and moves toward ending the Angolan civil war, it supplies indispensable background for grasping the major changes now in course in regional politics.

Jaster is well qualified to undertake such a study. Formerly an analyst with the Central Intelligence Agency long assigned to southern African affairs, in recent years, since leaving the CIA, he has developed a second career as an independent scholar. He has held fellowships with the Woodrow Wilson International Center for Scholars, the Harvard University Center for International Affairs, and the Chatham House Study Group on Southern Africa. The book is based on knowledge accumulated for many years; in specific preparation for it, he benefited from interviews with civil and military officials in South Africa and surrounding states, as well as his extensive contacts within the American foreign policy community.

Jaster examines the institutional structure of South African diplomacy and provides extensive detail concerning its regional role, particularly relating to Namibia and Mozambique. The pattern of systematic destabilization of neighboring states that emerged in the 1980s is thoroughly explored; many readers will find these passages a helpful map through the complex and often confusing sequences of events to the relationship of security force spectaculars with parallel diplomatic events. Issues such as South African nuclear capacity and its sometime partnership of pariah states like Israel find useful clarification.

The work appears addressed above all to the policy and informed lay communities concerned with southern African developments. As such, it is unencumbered by (or, depending on one's tastes, uninformed by) theoretical preoccupations. It is, above all, a cogently argued and sensibly interpreted policy analysis.

Though many aspects of South African policy are clarified in this fine book, two major issues remain without full resolution. Often in the last decade, sharply divergent actions taken by the political and security wings of the South African state raised questions about whether it is a fragmented polity or Machiavellian diplomacy in its most cynical form. Jaster is unable to resolve this conundrum; ". . . whether the military was a loose cannon, pursuing an agenda of its own to undermine the Nkomati Accord, or was only carrying out a duplicitous policy approved by the top leadership, is uncertain" (p. 130). One may note in this regard the surprising omission of reference to the recent treatise on destabilization by Joseph Hanlon, *Beggar Your Neighbours*.

The other unresolved question is the degree to which sanctions of diverse stripes actually influence South African diplomacy. Of course the target of sanctions in the first instance is Pretoria's domestic policy; but as Jaster notes, "it is equally germane to foreign policy" (p. 146). The economic dimensions of southern African diplomacy, crucial to the sanctions issue, lie outside the analytical focus of the book. A conclusive answer is perhaps impossible, but more extended discussion by such a perceptive observer would have been welcome.

In sum, Jaster deserves our gratitude for providing us with another excellent

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policy monograph. One cannot forebear observing that rising book prices join death and taxes among the mournful certitudes of life. One may only hope that the "sticker shock" at the price demanded for a work of less than 200 pages of text will not restrict the wide diffusion this book deserves.

CRAWFORD YOUNG
University of Wisconsin-Madison

The Rise of the Greek Socialist Party *by Michalis Spourdalakis. New York, Routledge, 1988. 331 pp. $59.50.*

The electoral defeat in June 1989 of PASOK, the socialist party in Greece, makes this study particularly timely. Written by a former member of PAK, the forerunner to PASOK, it is a fascinating account of its organizational development from its inception during the years of the Greek military junta (1967–1974) through its impressive electoral victory in 1981. It ends with a brief survey of later party developments. No analysis is provided of PASOK's policies after it came to power, nor of the different ideological tendencies in the party per se. This is not the author's purpose, which is to trace PASOK's "short march to power." Spourdalakis attributes the party's success to its incorporation of diverse ideological groups and old clientelist networks into its structures. Nonetheless, his discussion of the endemic factional struggles for control of the party structures, fought largely on procedural grounds, clearly reveals the underlying divergence among its members in ideology, in party principles, and in conceptions regarding governance of the party.

The author provides a relentlessly detailed description of the inordinate skill by which Andreas Papandreou, the party leader and later prime minister, manipulated and balanced the different factions thereby consolidating his absolute control. Both the vagueness of party pronouncements, including the party's much hailed founding document, "Declaration of the 3rd of September" 1974, and the constant changes in the composition of the party's ruling members enabled Papandreou to retain his personal power. Gradually, he abandoned his initial more radical socialist positions, while through a combination of resignations and expulsions he transformed PASOK into a traditional clientelist party. The ubiquitousness of clientelism was transparent just prior to the recent elections, when PASOK appointed thousands of civil servants and made commitments to thousands more, particularly in rural areas, for after the elections.

According to Spourdalakis, the process of transforming a programmatic, socialist party into a clientelist one involved the expulsion of Democratic Defense, a major resistance organization, later the Trotskyites, and the isolation or expulsion of the more radical PAK members. While the author considers 1975 the most crucial year in the transformation of the party, he exhaustively documents subsequent internal struggles. Eventually, the technocrats, as the author labels them, were also marginalized. Papandreou emerges as authoritarian and autocratic, de-

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void of ideological principles, who is motivated by an overarching drive to acquire and retain political power. Increasingly, his political style reverted to traditional patron-clientelism with its inevitable dependence on old party hacks (*palaiokomatikoi*). Papandreou fits the image of an *archigos* (leader), possessed of charisma, an orator who embodies the qualities of a "savior." And as with many charismatic leaders, his fall has been dramatic.

This volume's major contribution is its detailed historical account of PASOK's internal rivalries for control and the effective use of the party's structure for its rise to power. The account is based largely on invaluable documentary material from PASOK's archives. Unfortunately, it is of limited value for comparativists, but useful for those specializing in Greek politics. The author's tedious writing style is compounded by an overly detailed descriptive account of the party's internecine struggles and Papandreou's tactics in consolidating power. Consequently, the reader loses sight of the transformative processes. Devoid of a comparative framework, Spourdalakis's study creates an exaggerated impression of PASOK's uniqueness. And while party formations vary, as does the role of the leader, the author's narrow perspective precludes a differentiation between that which is distinctive to Greece and that which may be common to European socialist parties or party formations in general. The author's failure to generalize and to place PASOK within a broader sociological and economic context is a severe limitation.

The absence of a comparative context is interrelated to the absence of a theoretical perspective, a problem that leads the author to ignore crucial questions and also to make erroneous general statements. For example, granting the importance of PASOK'S organizational skills in its rise to power, nevertheless the author fails to account adequately for its increased electoral support in 1977 and its victory in 1981. To argue that the political center withered and that the Communist Party lost support (true of all European Communist Parties) is insufficient. An analysis of PASOK's "short march to power" must also consider socioeconomic and political developments. This is particularly pertinent since 1981 witnessed the coming to power of Socialist Parties in France and Spain and later in Portugal, two of which, in addition to Greece, had been dictatorships.

Spourdalakis's prediction of the demise of PASOK, made without benefit of the scandals that have plagued the government, has come to pass. It is regretable that the study lacks theoretical grounding. Nevertheless, this is an important first in what will be a growing literature on the Greek socialists. As a source on PASOK's party history it will remain invaluable. Perhaps its greatest flaw stems from the author's disillusion with Greek socialism, which blocks a view of PASOK from a broader historical perspective.

ADAMANTIA POLLIS
New School for Social Research

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Dilemmas of Presidential Leadership from Washington through Lincoln *by Richard Ellis and Aaron Wildavsky. New Brunswick, N.J., Transaction Books, 1989. 245 pp. $39.95.*

This is an important and seminal book. The authors have created an analytic framework for comparing presidents. They criticize the presumption that the presidency since FDR is different from all that have gone before. The institutional bureaucracy of the White House is relatively new, but the tasks of political leadership are perennial. Ellis and Wildavsky see the competition among three American political cultures as providing the dilemmas that presidents must face. Cultures become embodied in presidential regimes, and each type of regime faces dilemmas derived from the facts of American "exceptionalism"—for example, American politics is characterized by relatively strong individualism, weak hierarchy, and sporadic egalitarianism. Individualist regimes value autonomy for individuals and minimal authority; they accept strong leadership only when needed. Egalitarians want to diminish differences among people. Leadership is justified only as a means of reducing inequalities. In hierarchical governance, leaders are expected to lead, but because the polity is antileadership, leadership based on authority must be disguised.

Presidential leadership is the art of building and sustaining coalitions, and presidents fail when coalitions don't hold together. There is no cultural determinism here, but the art of leadership is in understanding the cultural context that tells what is possible.

Two kinds of presidents are analyzed: First are those who balance individualist and egalitarian politics—Jefferson, Madison, Jackson, Van Buren, Tyler and Polk; Second, hierarchy in either pure or blended form—Washington, Adams (father and son), the Whig leaders Clay and Webster, and Lincoln. Monroe stands alone as having tried to blend all three cultures of individuality, hierarchy, and egalitarianism.

Washington's strength as a hierarchical leader was his self-restraint in the exercise of power and hierarchy. But his use of force in the Whiskey Rebellion galvanized individualist and egalitarian opposition. John Adams's assumption that position equalled power destroyed his presidency. Jefferson faced the task of using executive power in behalf of egalitarian and individualist values; he did so by leading his congressional party secretly and appearing to defer to Congress. His legacy to Madison was unfortunate, because the War of 1812 required more forceful and open leadership than a Jeffersonian Congress would support. Monroe injected nationalism into the Republican Party and destroyed the hierarchical Federalists, but the egalitarians were not persuaded and the tension with individualists grew stronger. John Quincy Adams formed a government of pure hierarchy without a strong following and lost Jeffersonian support.

Jackson built up presidential authority by the justification of tearing down hierarchy. His belief in minimal government appealed to both the individualists and egalitarians. He justified power in a culture fearful of it and put the Whigs, who favored hierarchy, in a position to be antileadership. But Van Buren, Tyler, and

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Polk could not manage the growing tensions between individualists and egalitarians. Financial crises and issues of national expansion drove them apart. Fillmore, Pierce, and Buchanan, all able politicians, failed as presidents because the issue of slavery kept breaking apart efforts to combine any two of the cultures. It was the achievement of Lincoln to subordinate hierarchy to individualism in the creation of the Republican Party as the dominant political culture of the nation. Egalitarians were appeased by the abolition of slavery, but Lincoln's conception of the postwar society, North and South, was an individualist one.

The authors compare their cultural approach with psychological, institutional, and political power and cyclical strategies for studying the presidency. They make a strong case for their approach. They urge future scholars to study presidents and their politically attentive followers in relation to the politics of governance, with less attention to mass publics. They suggest that one culture gives way to others as it fails to meet the problems of the time and urge comparative study of presidencies across all of American history. Are political scientists up to the challenge of expanding the number of presidencies they study? They will have to become theoretical historians. The possibilities for crossnational comparisons with different cultures are also exciting.

ERWIN C. HARGROVE
Vanderbilt University

The Election of 1988: Reports and Interpretations *by Gerald M. Pomper, et al. Chatham, N.J., Chatham House Publishers, 1989. 221 pp. Cloth, $25.00; paper, $12.95.*

As a report, this seven-chapter, seven-author symposium is comprehensive, fact-filled, complete. In easy-to-read style, the authors narrate the events of the campaign – how Super Tuesday gave George Bush the Republican nomination and provided the crucial boost to the kind of Democratic candidate it was designed to block, the northern liberal Michael Dukakis; how New Jersey "focus groups" steered the GOP to fashion its attack strategy, wrapping Dukakis in the L-word and then defining liberalism in its own terms (soft on Willie Horton, the Pledge of Allegiance, national security and the Soviets, and high on taxes); how the negative campaign erased the Democrat's big early margin in the polls and put Bush ahead to stay. Bush was aided, of course, by Dukakis's lassitude in countering the attack, his inability to convey emotion on television (particularly in the second, "last chance" debate), and his failure to find a theme of his own before the closing few weeks of the campaign.

The interpretations are many, for the election was close enough that any of a number of factors could account for the difference. Barbara Farah and Ethel Klein conclude from polling data that "Dukakis lost the election because the Republicans convinced voters that he would weaken America and Bush would keep the

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country strong" (p. 116). Yet they find other contributing factors. The Pledge of Allegiance issue, raised "implicitly to challenge the Democrat's patriotism," and "Bush's taking a tough stance on crime" both helped Bush overtake Dukakis (pp. 113–15). Moreover, the election "would have been much closer" if Dukakis had been able to mobilize "people who shared his views on the economy" (p. 120), which was "potentially a winning issue for the Democrats" (p. 122) particularly among women voters. Farah and Klein find Bush's "no new taxes" promise to have been of little consequence (p. 112), while Pomper concludes it "contributed significantly to the Republican vote" (p. 150). Farah and Klein found that voters who considered the election a referendum on Reagan's policies split evenly, leaving the decision to those who said they were looking to the future rather than the past (p. 110). Yet Pomper's analysis suggests that Reagan's personal popularity was transferred to the entire Republican party, including Bush. So those looking to the future believed, on the basis of the past, that a Republican president could "safeguard their peace, prosperity, and political philosophy" better than a Democrat (p. 147).

In realignment terms, Pomper sees a continuing erosion of the Democratic base and "secular" movement to the Republicans. But that is at the presidential level. Ross Baker's chapter on the congressional elections shows not even a secular trend. His message is simple: incumbents raise more money, incumbents win, and most of them are Democrats. From 1980 through 1988, while the GOP was winning three presidential elections, two by landslides, it gained a net of only five House seats in elections contested by incumbents, while actually losing one in the Senate. And it netted only two Senate and ten House open seats.

Walter Dean Burnham attributes the power of incumbency to the "decompositional transformation that hit the party system, and most especially the Democrats, twenty years ago" (p. 21). And he deplores the result—government divided between the parties, with consequent deadlock, loss of responsibility, and blurring of party positions in bipartisan compromises. Eventually, he speculates, "such a divided, blocked regime could become intolerable to many serious interests. . . ." In that case, "the failure of institutions will prompt the search for a new charismatic revitalizer," and the country might not be so fortunate as to find another Franklin Roosevelt, or even a Ronald Reagan (pp. 29–30).

JAMES L. SUNDQUIST
Brookings Institution

The Carter Implosion: Jimmy Carter and the Amateur Style of Diplomacy *by Donald S. Spencer. New York, Praeger, 1988. 162 pp. $38.95.*

Donald Spencer delivers a stinging critique of Jimmy Carter's foreign policy. Focusing on the theme of human rights, the author chastizes Carter for papering

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over the disagreement about détente at home by engaging in a quest for world approval on moralistic grounds. The result, he claims, was a policy that antagonized the nation's enemies and penalized its friends abroad.

Spencer is relentless in his attack on what he terms Carter's "amateur style of diplomacy." Using a realistic yardstick, he claims that the president never understood the relationship between ends and means, between worthwhile goals and the price to be paid to achieve them. Thus Carter condemned Anastasio Somoza's dictatorship in Nicaragua but failed to use American power and authority to help fashion a more acceptable alternative, thereby ensuring the Sandinista triumph. Unwilling to accept any new burden after Vietnam, Carter sought to shape the world with words and promises. His penchant for symbolism led to the cutting off of American aid to twenty-eight friendly nations; in the case of Iran, pressure on the shah to observe human rights helped contribute to a revolution that undermined American strategic interests in a vital part of the world. Worst of all, Carter's moral condemnation of the Soviet Union served only to worsen the fate of the dissidents he sought to help and to antagonize Soviet leaders already hard-pressed by a failing economy and rising ethnic tensions. The bankruptcy of American policy became clear after the Soviet invasion of Afghanistan, when Carter's symbolic protests, notably the boycott of the Moscow Olympics, proved totally ineffective.

Spencer's indictment, while convincing, falls far short of providing either a fair or comprehensive account of Carter's foreign policy record. By concentrating on the failures of human rights, the author ignores the president's genuine triumphs in other areas, especially the Camp David talks and the Panama Canal treaties. Even if Carter did not resolve the bitter Arab-Israeli dispute completely, he did succeed in making peace between Egypt and Israel and thus reduced tension in the explosive Middle East. Even more impressive was his personal involvement in completing the treaties with Panama that rectified an historic wrong in American diplomacy and in rounding up enough votes to ensure Senate ratification. In this case, Carter met Harry Truman's test of presidential leadership – persuading people "to do what they ought to do without having to be persuaded." In failing to discuss and analyze these two key accomplishments, Spencer gives up any claim to offering a balanced account of Carter's diplomacy.

The Carter presidency, as Spencer points out, was a product of the twin failures of Vietnam and Watergate. The man from Georgia fulfilled the public's desire for a leader from outside Washington – someone untouched either by scandal or by association with the foreign policy failures of the past. Carter succeeded in grasping the mood of the American people in the 1970s and offered exactly what they wanted to hear – glittering promises that would require neither sacrifices nor commitment. By calling on the world to conform to America's high moral principles without offering anything substantial in return, Carter lived up to his mandate at home but lost credibility abroad. By 1979, with American diplomats held hostage in Iran and the Soviets ignoring American protests in Afghanistan, the *Wall Street Journal* aptly described the consequences of Carter's amateur diplomacy: "In the world

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of geopolitics, if you lose in one place you will be tested in another. If you lose successively, you will be tested in more and more ways. If you start not even to put up a fight, everyone will start to bully you" (p. 119).

ROBERT A. DIVINE
University of Texas at Austin

The Trusteeship Presidency: Jimmy Carter and the United States Congress *by Charles O. Jones. Baton Rouge, Louisiana State University Press, 1988. 225 pp. $24.95.*

Chuck Jones, one of our leading students of American politics, has given us a splendid analysis of Jimmy Carter's often stormy relationship with Congress. The author starts with the premise that a president will organize his congressional relations to suit his political experience, policy goals, and personal style. Thus, to understand a president's relations with Congress, it is necessary to understand his view of his role as president.

Jimmy Carter saw his representational role as that of trustee, entrusted to pursue the public interest rather than short-term electoral considerations. His approach was characterized by independence and comprehensiveness. He came to Washington to do what was "right," not what was "political," and he saw Congress as weak and parochial, composed of reelection-oriented delegates of parochial interests. Conflict seemed inevitable.

Performing as a trustee encourages one to reject a politics based on bargaining among special interests with inside access to decision makers. "Jimmy Carter was no Lyndon Johnson—nor did he have any intention of becoming one" (p. 111). He did not simply fail to understand the system or fail to learn how to skillfully exploit it to accomplish his goals. Instead, Carter challenged the system—on purpose.

Carter's pre-nomination political experiences favored the trusteeship model, and these were further reinforced by his successful race for the White House, in which he did not have to come to terms with the rest of the Democratic Party to win. He was the product of the demand for unusual politics, and no one should have expected politics as usual from him.

Jones also argues that the context in which a trustee president operates will affect the organization of his congressional relations and the success of his performance. In a well-researched chapter on the legislative context of the Ninety-fifth Congress, he catalogues the changes that occurred in Congress in the early 1970s and how these changes made it more aggressive and competitive with the executive and thus more difficult to lead. New leaders, new members with new norms of behavior, new institutional capacities, increased dispersion of power, increased confidence in developing legislation, and new processes all contributed to creating a more complex and challenging environment for presidential leadership.

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It would have been difficult for any president to understand this new institution, and dealing with it required sensitivity and special attention from the White House, but this did not occur in a trusteeship presidency. Carter had other concerns. The resulting difficulties in dealing with Congress were compounded by the trustee president's approach to Congress: take on difficult problems, centralize program development in the White House, employ an outside strategy for program support, and participate less intimately in congressional liaison.

Organizing congressional liaison in the White House has been the subject of much work among scholars of the presidency, and Jones's effort may be the best to date. He shows how Carter's views on the presidency determined his organization of the congressional liaison office. Carter's view of trusteeship led him to use Frank Moore, the head of congressional liaison in the White House, more for management than politics; his desire for cabinet government led him to try to rely heavily on department liaison staffs while scaling back the White House office; and his emphasis on substantive issues led him to organize the liaison staff along issue lines rather than the more traditional lines of geography.

This work is rich in detail, concepts, and insights and covers many levels of analysis. To pull all this together, the author devotes two chapters to a chronological survey of Jimmy Carter's relations with Congress. Because it sets its standards high, the trusteeship presidency invites careful scrutiny, and Carter has received substantial criticism for his lack of political skill in dealing with Congress. As Jones shows, however, a president with Carter's orientation and one trying to move the Democratic Party to the center under conditions of fiscal austerity faced an enormous challenge. Jones provides a more balanced and sympathetic treatment than Carter has typically received. In doing so, the author has increased our understanding not only of the Carter presidency, but of presidential-congressional relations in general. For this we are in his debt.

GEORGE C. EDWARDS III
Texas A&M University

Broken Purse Strings: Congressional Budgeting, 1974–88 *by Rudolph G. Penner and Alan J. Abramson. Washington, D.C., The Urban Institute Press, 1988. 129 pp. Cloth, $18.75; paper, $9.95.*

In this highly readable and perceptive book the authors analyze the principal struggles of budget reform and offer detailed recommendations on what should and should not be done. Rudolph Penner, an economist, has served in a number of responsible positions in the executive and legislative branches, most recently as the director of the Congressional Budget Office. Alan Abramson, a political scientist, collaborated on this project. After briefly reviewing the Budget Act of

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1974, they focus on its implementation, shortcomings, and prospects for improvement.

The major themes can be quickly summarized. Penner and Abramson oppose some of the nostrums currently debated, including a balanced budget amendment, capital budgeting, and the item veto. They also counsel against a wholesale move to biennial budgeting, preferring a more modest experiment with selected programs. They propose the repeal of Gramm-Rudman-Hollings, because it fosters dishonesty and confusion, and advocate a change in the existing process to include the creation of a joint budget committee (to replace the House and Senate Budget Committees) and the adoption of a joint budget resolution to be signed by the president (instead of the budget resolution that governs only Congress). To increase presidential influence, they would alter the impoundment process for rescissions to force Congress to vote on presidential proposals.

The authors' judgements are solid and blunt. The budget process, "now so complex that few understand all its details," has also become "more dishonest" (p. 1). One can only applaud their appeal to moral sensibilities at the end of the book, where they deplore the decade-long failure to control deficits and invest for the future. "Previous generations left us pretty well off. There is no reason for us to be less generous to those who follow" (p. 128).

The book is less satisfactory in presenting a coherent attitude toward the importance of *process*. The book's thesis "is that huge deficits did not emerge because of a broken process" (p. 1), suggesting that budget outcomes are driven primarily by outside political forces, not internal procedures. The problem is that the authors clearly think that process matters a great deal. They claim that prior to 1974 "there was no mechanism that forced Congress to choose among spending alternatives in order to stay within a specified ceiling" (p. 8). I think that is demonstrably false. Through an informal, decentralized process, Congress stayed within the aggregates of the president's budget almost every year, including the five Nixon budgets that led up to the 1974 Act. In any event, the authors believe that by 1972, "if not earlier, it was clear that Congress should not continue with its fragmented budgetary review procedures and should move toward achieving a broader overview of spending and revenues" (pp. 13–14). Clearly, process *does* matter.

Even more important, I think the process of the 1974 Act is largely responsible for the gigantic deficits of the past decade. By centralizing its process, Congress made it easier for President Ronald Reagan in 1981 to gain control of the budget resolution and reconciliation procedures. The authors acknowledge that fact on page 45. Ironically, the enhanced presidential power of 1981 was followed by a virtual abandonment of presidential leadership in other years, which the 1974 Act unwittingly encouraged. I agree with the authors that the president's budget "is and must remain a highly influential document" (p. 111). The problem is that presidential budgets, particularly those of Reagan after 1981, offered scarcely any direction out of the morass. To do its job well, Congress needs a president to step out front with responsible aggregates, allowing Congress to change the priorities within

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those overall totals. How to restore the president's role in the budget process is the fundamental issue for effective reform.

LOUIS FISHER
Congressional Research Service

Privatization and the Welfare State *edited by Sheila B. Kamerman and Alfred J. Kahn. Princeton, N.J., Princeton University Press, 1989. 283 pp. Cloth, $39.50; paper, $14.95.*

We are entering a second generation of books about privatization, and it's time to start taking them seriously. The first generation comprised, for the most part, works by unabashed advocates. These works were marked by loose definitions and an uncritical reading of evidence. Everywhere they looked, they saw examples of privatization; and everywhere they saw privatization, they saw that it was good.

Whereas the first generation of privatization books represented efforts to set the national policy agenda, the second generation promises to take on the more scholarly task of interpreting what privatization can tell us about the limits and capabilities of government. This edited volume, consisting of nine contributions sandwiched between the editors' introduction and conclusion, is a worthy and thought-provoking entry.

That this is an especially cohesive and intellectually integrated collection undoubtedly is due to its unusual origin. Sponsored by the nonprofit, nonpartisan Project on the Federal Social Role, the book began with a forty-member seminar that debated issues and reviewed chapter drafts over an eighteen month period. There are few of the annoying inconsistencies in terminology or unnecessary duplications that mark most edited collections; the authors knew what the other contributors had to say and it shows.

Because of this coherence, it is possible to speak about some common themes. One concerns the complex and intricate ways that public and private actions are interwoven within the modern welfare state. Most of the tools at the disposal of government depend upon individuals, nonprofit organizations, or corporations to actually bring about desired changes. And much of what we normally think of as the private sector owes its shape and even its existence to public grants, regulations, and tax provisions. As Martin Rein puts it: "the modern institutions of social protection are neither public nor private in any ambiguous meanings of those terms" (p. 49).

A second theme is that claims to have demonstrated empirically that the private sector is a superior mechanism for pursuing social goals need to be regarded critically. The blurring of boundaries between the public and private spheres means that purportedly successful privatization initiatives typically include a substantial governmental component that may have played a contributory role; purportedly

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unsuccessful governmental initiatives, similarly, may have foundered because of their reliance on private actors to deliver the goods. As Paul Starr writes, "It is as if, on finding two boxes labelled public and private, we were to open the private box and find two more labelled public and private, which we would do again—and again. . ." (p. 20).

As the various articles review the empirical record with this in mind, a third theme emerges: the effect of privatization depends upon its specific form and the specific context in which it is undertaken. Those privatization initiatives getting the most extensive consideration include public housing sales, sickness benefits, and pensions in Britain (Michael O'Higgins); U.S. efforts to contract out and expand citizen choice in the areas of community mental health services, long term care of the elderly and disabled, youth employment and training, and child welfare (selections by Arnold Gurin and the editors); and the Local Initiatives Support Corporation's efforts to deal with urban decline through a public-private partnership (Mitchell Sviridoff). Among the contextual factors that appear relevant to the success or failure of privatization are the characteristics of the target population, the adequacy of governmental monitoring, the number and size of alternative providers, the complexity of the service, and the extent to which government agencies are able and politically willing to specify the quantity and quality of the service levels that must be attained.

Finally, several of the contributions distinguish between privatization as a set of tools and privatization as a political and ideological movement. As a set of tools—contracting out, asset sales, vouchers, users fees, deregulation, and the like—privatization can strategically be employed by policy makers in ways that enrich the welfare state by allowing it to undertake its responsibilities most efficiently. But as a political and ideological movement, privatization represents an assault on the welfare state, an effort to disable its administrative mechanism, detach key elements of its political constituency, and delegitimize its social goals.

In reaching for conceptual consistency and coherent themes, the collection does not make the mistake of submerging controversy. Some of the selections stake out a decidedly antiprivatization position. Starr, for example, concludes that one cannot in the final analysis detach the specific techniques of privatization from their roots in the broader political and ideological assault on the commitment to greater equality and openness that he associates with the evolution of the welfare state. O'Higgins concludes that more socially progressive forms of privatization were open in Britain, but political and social forces kept them on the margins; privatization has been inegalitarian in practice, although it need not be so in principle.

Other selections see privatization in a more favorable light. Marc Bendick, Jr., for example, emphasizes the opportunities that the privatization movement opens for advocates of expanded social welfare services, if they are politically astute. By championing new initiatives that work through community organizations and the nonprofit sector, by allying with private service providers with a common stake

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in lobbying for more public funding, and by adopting those privatization initiatives that genuinely promote efficiency, he argues it is possible to "co-opt the political momentum" conservative privatization activists now enjoy (p. 117). And Richard Rose argues that a more privatized approach can deliver more benefits to the needy if it makes more wealth available for taxation: "While trying less, American government spends more on social welfare for its citizens." Rose notes that in 1985 the United States spent $2,835 per capita on social programs, "a figure above such historically welfare-oriented governments as Britain" (p. 82).

JEFFREY R. HENIG
George Washington University

The Rise of the Entrepreneurial State: State and Local Economic Development Policy in the United States *by Peter K. Eisinger. Madison, University of Wisconsin Press, 1988. 382 pp. Cloth, $40.00; paper, $17.50.*

States have become increasingly sophisticated in competing with one another for business investment. Readers of the *Wall Street Journal*, state economic development manuals, and popular books on how to revive a regional economy have been aware of the enormous political popularity many development programs have enjoyed. But only now do we have an authoritative compendium on the vast array of approaches available and the extent to which they have spread among the states.

Eisinger manages to convey the enthusiasm of state entrepreneurs without himself becoming seduced by the rhetoric of economic development agencies. He is perfectly aware that business location decisions are based more on proximity to markets and sources of supply than to specific features of a state's political climate. He recognizes that when all states participate in the game of economic competition, their promotional schemes tend to cancel one another out. He realizes that when states give away too much to business demands, they simply impose more costs on their taxpayers than is justified by the amount the state can expect to receive in long-term economic benefits. In one of the more delicious ironies mentioned in the book, he quotes Richard Thornburgh, then governor of Pennsylvania and currently attorney-general of the United States, on the results of the state's attempt to create 5,000 to 7,000 new jobs by bringing Volkswagen to Pennsylvania: "Today that facility is struggling and the job projections have not been realized. . . . I think there is a hint of a lesson there about putting all your eggs in one basket" (pp. 241–42).

At the same time Eisinger avoids condemning state economic development activities as mere sell-outs to big business. While dubious about state programs that reduce tax and labor costs, he says that states are increasingly inclined to create a climate generally favorable to business activity, rather than to devise incentives aimed at any single firm.

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Indeed, the proclaimed central theme of the book is that states are shifting away from so-called supply incentives such as tax reductions, deregulation, and loan guarantees in favor of what he calls demand-side incentives, such as aid to small firms in high-risk industries, state research grants, research and development grants, and technical assistance to small businesses. It is only at this point that Eisinger seems to let his own enthusiasms cloud his judgment. His effort to distinguish between supply-side and demand-side subsidies is difficult to follow. Nor is there much evidence that the proliferation of schemes aimed at high-tech industries is a substitute for the older tax incentive and industrial park undertakings. On the contrary, Eisinger's quantitative evidence shows that all forms of state entrepreneurial activity have become increasingly pervasive over the last couple of decades.

My only other complaint has to do with the book's peculiarly apolitical quality. Reminiscent of the dry, legalistic books on states and localities published at the time Victor Jones wrote of "the lost world of municipal government," Eisinger's study provides almost no information on the politics of development. Do governors benefit from their promotional schemes? Do opposition parties successfully fault governors that fail? Are policies contested in the state legislature? What interest group pressures—pro and con—shape the outcome?

The fact that we learn nothing about these matters may itself tell us something. Economic development activities may be so consistent with the state's interests, so popular with the voters, so readily acceptable to legislative leaders, and so effective a campaign issue that data on the politics of development are difficult to collect and collate. It may well be that the volume induces narcolepsy mainly because developmental policies themselves lack political debate and controversy.

PAUL E. PETERSON
Harvard University

Welfare Policy for the 1990s *edited by Phoebe H. Cottingham and David T. Ellwood. Cambridge, Mass., Harvard University Press, 1989. 349 pp. $30.00.*

With the passage of the Family Support Act of 1988 (FSA), some social policy analysts and advocates believed that welfare had finally been reformed. Others, however, were sure that welfare reform had yet to be addressed. Still others were convinced that some modest changes had been initiated and that much remained to be done. This edited collection of papers based on a Rockefeller Foundation-sponsored conference on welfare reform held early in 1988 has something for those supporting each of these positions. Its major limitation is that the papers were written while the debate was in process, and some of the authors did not revise their papers to reflect the passage of the act.

Robert Reischauer states the major premise of the collection in the first paper: The changes made by the Family Support Act of 1988 were very modest. "While

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they represented important shifts of policy emphasis and direction, they will not, by themselves, provide long-run solutions to the nation's problems of poverty and dependency. Future administrations and Congresses will thus be compelled to revisit the same battleground" (p. 11). In effect, the issues that the FSA set out to address are at best only partly or temporarily solved; and many have not been addressed at all. The several papers highlight those issues, explore the extent to which they have been addressed, and discuss the problems, policy, and research agenda that remain.

The volume is important because its major theme—as reflected in the writings of Reischauer, Sheldon Danziger, and David Ellwood—constitute an excellent statement of the new conventional wisdom regarding welfare reform and poverty: welfare dependency and poverty are not the same, nor do they involve the same populations. The welfare population and the poverty population are not homogeneous groups. No one or even two new policies can solve the problems of welfare dependency and long-term poverty. Policies that reduce the use of AFDC (Aid to Families with Dependent Children) may not reduce poverty and vice versa. The central policy dilemma, therefore, is how to reduce both at acceptable costs. The new consensus is that if the liberals are now prepared to accept reducing the use of AFDC and increasing the employment of low-income single mothers as a goal, the conservatives have finally acknowledged that child poverty is a serious problem. Something must be done about it—in particular for the working poor. Beyond that, there is no consensus.

The Reischauer, Danziger and Robert Lerman papers and the Ellwood concluding essay all stress the framework of the new liberal policy agenda, a "package" of "nonwelfare" social policies that includes all or several of the following: a child allowance in the form of a refundable child tax credit (a substitute for the existing personal exemption); an increased and family-member (rather than family-unit) based earned income tax credit to supplement low earnings; a guaranteed minimum child support benefit; health insurance for all workers; expanded subsidies for child care (or expanded access to child care for low-income working parents); expanded and enhanced training-employment-jobs programs. How to get political support for legislating these initiatives is not addressed; but after all, that was not their task.

The Loïc Wacquant and William Julius Wilson paper is a repeat of Wilson's thesis, developed in several earlier papers and in his book, *The Truly Disadvantaged*. The Gary Burtless paper is an excellent review of the effects of various employment, education, and training programs on employment and earnings of single mothers. It underscores the points that at best these programs are expensive and "clearly insufficient by themselves to end poverty and dependency among single-parent families" (p. 140). Denise F. Polit and Joseph O'Hara provide a splendid overview of the research on the effects of support services (child care, health insurance, case management) on facilitating work by AFDC recipients. Their paper serves as a reminder of the need for more research regarding the role of supportive

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services, both in improving the employability of AFDC recipients and reducing poverty. A paper on the costs of welfare programs focuses primarily on the problems of measuring costs. Cottingham provides a brief introductory summary to the collection, and Ellwood provides the concluding essay.

For readers who want a current statement of the major substantive issues debated before the passage of the FSA and the major issues now still being discussed, this collection offers a useful overview. Do not expect the full panoply of welfare and poverty issues to be addressed, however. Several important issues receive no attention, yet clearly are or will be high on the public agenda in future welfare and poverty discussions. One is the increasingly critical "missing" support service—housing—and the growing problem of poor, homeless women and children. A second is the important population group ignored by the FSA, except with regard to teen mothers who have not finished school. That is poor families with children under the age of three. Finally is the issue of whether concern for child poverty may not drive the welfare policy debate more in the 1990s than welfare dependency. These may yet emerge as the new issues for social policy attention in the 1990s.

SHEILA B. KAMERMAN
Columbia University

The Making of a Senator: Dan Quayle *by Richard F. Fenno, Jr. Washington, D.C., Congressional Quarterly Press, 1989. 180 pp. Cloth, $19.95; paper, $13.95.*

Fenno's superb study of Dan Quayle is a part of his larger study on the relationship between campaigning and governing in the U.S. Senate. Fenno followed Quayle through one complete electoral cycle—from Quayle's first campaign for the Senate in 1980, through his first term, and then through his second Senate campaign in 1986. Quayle emerged as the chief Senate sponsor of the Job Training Partnership Act (JTPA) and built a base of support for himself in Indiana. The book was written before Quayle gained the Republican nomination for the vice presidency, but its publication as a separate volume is motivated by the interest in Quayle that was stimulated by his nomination. Most readers will be curious about whether Fenno's Dan Quayle is the cute, juvenile, verbal contortionist that he seemed to be during the presidential campaign and his first few months as vice president.

The central theme of the book and larger study is that electoral politics and legislative decision making are interdependent activities for scholars. Senators operate in two distinctive contexts, one at home and one in Washington, both of which create opportunities and constraints. The experience of campaigning influences governing; a politician's interpretation of the campaign and election shapes his style of governing. And the experience of governing influences campaigning; a politician's explanations of his legislative activity affect his campaigning style and success. Learning and luck are consequential in both arenas, so time and ex-

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perience are important dimensions. In this perspective, Dan Quayle's adjustment to running for and serving in the Senate appears to be quite typical.

A secondary theme is that political ambition and goals matter but vary in kind and intensity as political context changes. For Quayle, the move from the House, where he served as a junior minority party member, to the Senate, where he served as a subcommittee chairman in the majority, dramatically altered the degree that he focused on legislative matters and the intensity with which he pursued his legislative duties. A House member concerned only about reelection, lambasting the Washington establishment, and his golf game became an aggressive legislator deeply concerned about building a reputation for effectiveness.

Woven into the story of Quayle's two senatorial campaigns and legislative activity are a number of other lessons that teachers of congressional politics will want to note for their students. For example, Fenno's discussion of the development of the JTPA demonstrates that not all congressional decision making is a function of political interest and clout. A good deal of it represents genuine efforts to solve difficult policy problems in the public interest. Senate individualism, the role of staff, the legislative roles of the executive branch, elements of legislative strategy, the advantages of incumbency, and the multiple obstacles of the legislative process are all subjects addressed in some way in Fenno's book. It is a great way to begin an undergraduate course on Congress or American politics; it is even better than T. R. Reid's *Congressional Odyssey* and Eric Redman's *The Dance of Legislation*.

And what about Quayle? Fenno notes that Quayle "campaigns in that unguarded, outgoing, optimistic spirit—like a kid" (p. 13). Quayle is extremely personable and enthusiastic in this account. He is politically immature but also is maturing, someone whose apparent intellectual shallowness is a product of inexperience rather than low IQ and whose weak extemporaneous speaking skills are partly the product of his eagerness to please—like a kid. But Quayle also is shown to have sharp legislative sensibilities, a capacity to act in a nonideological and bipartisan manner, and an ability to master fairly complex issues. To read between the lines, Fenno's Quayle made a good senator but would not make a good president.

STEVEN S. SMITH
University of Minnesota

The Press and the Carter Presidency *by Mark J. Rozell. Boulder, Colo., Westview Press, 1989. 235 pp. $27.95.*

When journalists piece together the patchwork quilt that presents a president's political image throughout his term of office, what criteria do they use for selecting the patches? Mark Rozell, an assistant political science professor at Mary Washington College in Fredericksburg, Virginia, provides answers to that intriguing question, using the Carter administration as his example.

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Rozell's study, based on his doctoral dissertation, focuses on five major themes that journalists used to appraise the Carter presidency from mid-campaign in 1976 through the end of his term in January 1981. The news stories, editorials, and commentary on which the analysis is based appeared in the *New York Times*, *Washington Post*, *Wall Street Journal*, *Time*, *Newsweek*, and *U.S. News and World Report*. The themes are presidential symbolism and rhetoric, the president's policy agenda, leadership in getting the agenda implemented, and the qualities of Carter's staff. The fifth theme—timing—refers to the fact that journalists' images of Carter were influenced by the climate of suspicion generated by Vietnam and Watergate politics and by stereotypical views of appropriate presidential behaviors at various periods of their presidencies. The book is organized in chronological sequence so that it reveals fluctuations in Carter's appraisal during his term.

The author's primary finding, which may apply to other presidencies as well, is that journalists approach their task of evaluating presidential performance with a set of preconceived notions about the presidency in general and the performance to be expected from a particular incumbent. Presidents can do little to alter the specific standards they are expected to meet and nothing at all to alter the general views of the presidency by which journalists judge them. Scholars who wish to understand the nature of the presidential press coverage in the elite media must, therefore, learn what these preconceptions are.

Carter was judged against the yardstick of the highly activist presidencies of Franklin Roosevelt and Lyndon Johnson, who focused on major social welfare legislation like the New Deal and the War on Poverty. He was criticized for the many ways in which he failed to match the images of these earlier Democratic giants, rather than being judged by his own goals and achievements. Carter's emphasis on energy policy and on budget cutting was a disappointment to newspeople. So was his failure to win an enthusiastic following in a Congress dominated by his own party. Carter also fell short of press expectations of the ingredients of successful leadership. He lacked charisma. He failed to project an aura of exercising full control over his government, the public, and ongoing events. And, despite his pledges of honesty in government, his official and personal families were tainted by scandals.

Overall, press appraisals of Carter were predominantly negative, except for periods of positive appraisals at the beginning of his term and during the Camp David negotiations, which eased relations between Egypt and Israel. Extensive image-building efforts by Carter's aides failed to change these negative appraisals. Attempts to take the lead in establishing criteria for evaluating Carter's performance came to naught. Judging from public opinion polls, the public as well as many politicians accepted the media's appraisal cues. Their nature was rarely noticed, let alone questioned. In turn, these negative appraisals, based on debatable criteria, impaired the president's ability to lead Congress and public opinion and consolidate support for his policies.

This is an interesting, clearly written book about a crucial aspect of presidential press relations. As the author suggests, similar analyses ought to be performed

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for other presidencies, considering the decisive impact of media portrayals on a president's success. Regrettably, the sparse details about the procedures used in identifying media coverage trends and choosing illustrative quotes make it difficult to model future studies on Rozell's work. An extensive note or appendix on methodology would be most welcome in a future edition.

DORIS A. GRABER
University of Illinois at Chicago

Jesse Jackson and the Politics of Charisma: The Rise and Fall of the PUSH/Excel Program *by Ernest R. House. Boulder, Colo., Westview Press, 1988. 196 pp. $23.95.*

Ernest House has accomplished a very difficult task of successfully disentangling the threads that had until now led into a puzzling and disquieting conundrum. In exceptionally rational and dispassionate analysis, House examines Jesse Jackson's conceptualization and leadership of the PUSH/Excel Program, centers his consideration of the program within several intersecting literatures, and closes by placing the program and the leader in broader theoretical context. This is an enormously demanding agenda, but House more than fulfills his goals, and does so in spare and simple language that also manages to be theoretically rich and suggestive. This style permits House the freedom to clearly describe and explain Jackson's entrance into the civil rights movement, the creation of operation PUSH itself, and the crafting of the kind of charismatic role Jackson has assumed among blacks and in national presidential politics.

House also links Jackson, the man of his place and time, with the role he has created and the kind of organizations that Operation PUSH and subsequently PUSH/Excel have become. Jackson's formula worked best in the one southern city, Chattanooga, of those in which PUSH/Excel was tried, because its program fit the environment that was most similar to the one in which Jackson had grown up. PUSH/Excel was unsuccessful or more troubled in northern industrial or western cities such as Chicago, Kansas City, Denver, and Los Angeles. The school systems were ambivalent or hostile to the concept of the program, which incorporated elements of community control. Mobilization and involvement of black parents and students also raised the hackles of whites and/or fiscal conservatives, who were in the process of winning office in a number of different cities.

PUSH/Excel also became entangled in the complications of federal program development and implementation, which many other programs had faced. As a loosely constructed set of ideas it failed to meet the conceptual framework, based on industrial production standards, which the American Institute for Research's evaluator, Charles Murray (subsequent author of *Losing Ground*), constructed for an educational program. When PUSH/Excel failed to meet the evaluators' theoretical construction, developed ex post facto, of the elements every education

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program *should* have had, the public media concluded malfeasance had occurred. Jackson had initially "refused the money, saying that the program was not yet fully developed" (p. 22). Health, Education and Welfare (HEW) Secretary Joseph Califano and Assistant Secretary Mary Berry assured Jackson that HEW would provide funds for program planning and development, as well as for program operation. No significant HEW financial or administrative support for program planning followed. PUSH itself is structured around the relatively short-term attention that Jackson gives to issues. Both of these factors help explain the continuing reports that there was "no program," simply because there were not the same structures and activities in each city. This led to the conclusion that the money had been spent for purposes other than those for which it had been allocated.

The strength of this study arises from House's familiarity with the literature on educational community control programs, the politics of multiracial multiethnic urban areas, and analyses of Jackson's role as charismatic leader. Ironically, the strongest and the weakest parts of the book rest in his handling of Jackson. This works quite well in the first two thirds of the study, with House's analysis able to open up our understanding of Jackson and of his role in a way that has rarely been seen before. However, his concluding efforts to place Jackson and Operation PUSH within a larger theoretical framework are not as convincing, primarily because he uses analyses that are drawn too directly from an other sources. However, these difficulties in the final chapters detract only to a small degree from an otherwise extremely stimulating study.

DIANNE M. PINDERHUGHES
University of Illinois, Urbana-Champaign

Constitutional Cultures: The Mentality and Consequences of Judicial Review *by Robert F. Nagel. Berkeley, University of California Press, 1989. 232 pp. $27.50.*

In this volume Nagel consolidates the unorthodox, not to say exotic, constitutional arguments against judicial activism that he has developed in a number of law review articles. He challenges the entire public law establishment, from John Marshall to Laurence Tribe, contending that the judiciary has no special qualifications for interpreting the Constitution and that judicial review is "largely unnecessary and destabilizing" (p. 27). He does accept *Marbury v. Madison* (1803), on condition that the Constitution be conceded to have "relatively plain, stable meanings" (p. 6). But in *McCulloch v. Maryland* (1819) Marshall interpreted "necessary" to mean "convenient," and so "largely obliterated the original text" (p. 133). By contrast, Nagel has a good word for Justice Owen J. Roberts's famous and much ridiculed account of the limited judicial role in *United States v. Butler* (1936).

Nagel contends that the Supreme Court has failed to perform the primary function it was assigned by the Framers, namely, interpretation and application of the

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principles of the federal system. The Constitution was concerned with organization, not individuals, but the Court's record for enforcing the principle of federalism is "anemic" (p. 60). When the Court did, for once, protect the states from the congressional commerce power in *National League of Cities v. Usery* (1976), the decision was subjected to such "extraordinary" criticism by the establishment that the Court hastily reversed it (*Garcia v. San Antonio Metropolitan Transit Authority*, 1985).

Instead of protecting the federal system, the Court has developed an "excessive attention to rights" (p. 82). This charge requires Nagel to take a position on *Brown v. Board* (1954), the crown jewel of judicial activism. He accepts the *Brown* result as justified by the history of "acute insult and profound political injustice," but not by any "rigorous examination of the text of the Constitution" (p. 5). The opinion "is difficult to reconcile with standard legal criteria" (p. 61). Moreover, the opinion attacked "an aspect of a largely regional culture," isolating itself "from the general culture, retaining ties of language and intellectual approach only to an academic elite" (p. 155).

Nagel downgrades the Court's widely accepted role as the protector of freedom of speech. He recognizes that the ringing words (he calls it "fancy talk") of Justices Oliver Wendell Holmes and Hugo Black have become a valued part of our political culture. But there is a great gulf between the Court's elaborate theories and the often trivial situations to which they are applied (citing *Cohen v. California*, 1971). Moreover, the causes of intolerance and censorship are "exceedingly complex and variable," and adjudication is an "unlikely mechanism" for controlling them (p. 29).

Nagel believes that "to an unexpected extent judicial restraint may be necessary to a stable constitutional order" (p. 7). The "uninterpreted Constitution" is preferable, and he stresses how much of it there is. For example, no president has been younger than 35 or failed to leave office when his term expired. Soldiers have not been quartered in private homes. Congress "assembles" every year. It is when lawyers and judges start interpreting the Constitution that there is trouble. Every decision produces losers and winners and starts a new argument. Legal decisions fail to yield stable meanings.

Nagel's last three chapters discuss the "mentality" of judicial review. That mentality is rationalism, and the style of opinion writing is "formulaic." The Court expresses its doctrine in terms of "tests," "prongs," "standards," or "hurdles." There is "pure speech," "mixed speech," interests that are "legitimate" or "compelling," "suspect classes" or "semi-suspect classes." This way of talking is "awkward and degraded" (p. 154). "The style is an amalgam of the bureaucratic and academic" (p. 128). The Court must learn other ways of speaking.

The justices insist on "treating social choices as a series of intellectual problems" (p. 111). But there are other methods of moral and intellectual inquiry, such as "insight, creativity, wisdom, vision, instinct, or empathy" (p. 110). The design of the Constitution leaves room for the interplay of power, and the Framers un-

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derstood that power should often be responsive to self-interest and felt preferences. "An unconfined demand for rationalism in government is not desirable or realistic in a democracy" (p. 111). Treating social choices as a series of intellectual problems is reassuring to the educated classes, but it also tends to denigrate important values and to stunt moral and political discourse. "Constitutional law, certainly, helps to shape the culture, but it cannot routinely assault that culture" (p. 155). This is Nagel's final word in the text, but he continues his case against the Court through seventy pages of notes.

C. HERMAN PRITCHETT
University of California, Santa Barbara

Legitimacy and Force: State Papers and Current Perspectives, 2 vols., *by Jeane J. Kirkpatrick. New Brunswick, N.J., Transaction Books, 1988. 905 pp. Cloth $60/set; paper, $30/set.*

These two closely-printed volumes must contain just about every recorded utterance of Jeane Kirkpatrick during the period 1981–1985, when she served as the permanent representative of the United States at the United Nations. Given Kirkpatrick's highly focused preoccupations and the tendency of a few items to dominate the agenda of the Security Council and the General Assembly during the period in question, printing all or practically all of her more formal statements at the UN together with lectures, op-ed pieces, and brief articles entailed a good deal of repetition, not simply of ideas, but of quotations, sentences, and paragraphs.

As far as one can tell from the distribution of pieces between volumes one and two, the former is supposed to expose the ambassador's taproot values and organizing ideas about foreign affairs and international politics, while the latter shows how they apply to particular cases. Volume one's sixty-seven pieces are divided, unlike Gaul, into four parts titled, respectively, "Freedom and Unfreedom," "Human Rights and Democracy," "The United Nations as a Political System," and "Foreign Policy in a Democracy." In volume two the author declares her views primarily about four foreign policy issues: The Arab-Israeli conflict, guerrilla war and U.S. intervention in the Caribbean basin (Central America and Grenada), the invasion and occupation of Afghanistan and Cambodia by their communist neighbors, and conflict in southern Africa.

Anyone familiar with Kirkpatrick's previously published work or who episodically peruses foreign affairs articles in the journal *Commentary* will find nothing very new here, either in the articulated world view or its concrete applications. The Soviet Union is an insatiably aggressive power bent on global hegemony. Wherever it is not forcefully confronted, it expands. Most of the subversive violence in the world is attributable to it, the rest to "radicals" (undefined). Whatever augments American power enhances human rights. The Democratic Party has fallen into the hands of people who have lost faith in liberalism and in American society,

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people who are blind to Soviet aggressiveness, riddled with doubt and guilt, twisted by distaste for capitalism. Their moral confusion is illustrated by their failure to prefer right-wing authoritarian regimes over the left-wing totalitarians, by their criticism of conservative regimes for defending themselves against violent subversives, and their persistent naiveté about leftist movements and governments.

The Third World majority at the UN has betrayed the liberal vision of the founding fathers by turning the organization into an instrument for delegitimating liberal values and aggravating international disputes. Its proposals for change in the international economic system are a root-and-branch challenge to economic freedom and a mortal threat to the production of wealth, a recipe for global socialism. Efforts to assure universal access to resources of the sea is part of this conspiracy against freedom and entrepreneurship.

In what genre should these volumes be located? The author disarmingly declares in her introduction that "[s]peeches of public officials necessarily differ in the style and level of discourse from academic speeches. Most of these speeches mix advocacy with analysis. A few . . . are highly partisan . . . [and] none . . . deal with the issues raised in the depth that I would have liked." But Kirkpatrick repeatedly emphasizes in the pieces intended for general audiences that she speaks not as a professional diplomat but as a resident of the community of intellectuals "forever engaging in discovering, probing, discussing, all in an effort to uncover the truth about the object of their attention" (vol. I, p. 5). Moreover the very act of seeking publication by a distinguished scholarly press implies the belief that these volumes merit treatment not as public propaganda but as scholarly analysis.

Advocacy itself, however passionate, is no delinquency for scholars. Fault lies only in the failure to see, to acknowledge, and to confront competing conceptions of causality, relevance, and interest. Kirkpatrick offers tendentious, sometimes quite zany versions of contrary positions that seem to justify her manifest contempt for them. (See, for instance, the beliefs she imputes to "the human rights establishment of the Carter period" [vol. I, p. 134]). No one who boxes only with her own shadow can claim the mantle of scholarship.

On what basis, she asks rhetorically, can members of Congress oppose aid to democratic guerrillas seeking to overthrow the totalitarian Sandinistas? Ignoring the considerable literature setting out both moral and strategic reasons for opposing aid, she sees nothing but a loss of faith in the American mission, moral confusion, Vietnam syndrome, and even a sneaky preference for authoritarian socialism over free enterprise democracy.

If Communist, unlike right-wing, regimes are constitutionally incapable of evolving toward pluralism, how does one explain the evolution of the Czech Communist Party under the leadership of Alexander Dubcek? In celebrating "that marvelous Prague Spring [when] the Czechs rose up" (vol. I, p. 51), Kirkpatrick neglects to mention that they were led by the country's Communist Party boss.

Does criticism of Uruguay before the recent transition to democracy necessarily imply, as the ambassador suggests, that its government had no right of self-defense against the tupemaro urban guerrillas (vol. I, p. 98)? Or could it be understood

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as attempting to distinguish between legitimate means (including the temporary restriction of such legally suspendable rights as freedom of speech and association) and state terrorism characterization by hideous torture and summary execution?

Was the Sandinista military build-up plainly aggressive in purpose because, as she notes, they could hardly fear aggression from Costa Rica (vol. I, p. 30)? Or is it conceivable that they feared a proxy or direct attack from the United States?

The author is a formidable polemicist and doubtless possesses the intellectual skills required for serious intellectual discourse. But nothing in this two-volume work suggests that she retains the requisite balance and curiosity, or the desire.

TOM J. FARER
The American University and the University of New Mexico

The Fourteenth Amendment: From Political Principle to Judicial Doctrine *by William E. Nelson. Cambridge, Mass., Harvard University Press, 1988. 253 pp. $25.00.*

The Fourteenth Amendment has been the most widely used legal basis for the Supreme Court's expansion of constitutional rights during the twentieth century. It has defined substantive political rights, and it has been used as the foundation for Bill of Rights protections against states. The judicial expansion of the Fourteenth Amendment has been bitterly attacked by strict constructionists who contend that these interpretations have strayed far from the intent of the drafters. They have seen the Fourteenth Amendment as an excuse for judicial lawmaking. Entering the discourse is William E. Nelson with a splendid account of the drafting of the Fourteenth Amendment and of its early judicial development. This work is scholarship as it ought to be. Blending the analytic craft of the lawyer and the perspective and insight of the historian, Nelson painstakingly details the way in which the Fourteenth Amendment was proposed and then carried through Congress during Reconstruction. For those seeking a simple answer about Congress's intent, Nelson makes it clear that there is none to be had. The Fourteenth Amendment made its way through a legislature of differing philosophies. Enactment was not marked by clarity, but by political accommodation. There is no well defined intent to discover.

There were, however, some things that Congress did not intend. It did not intend to limit Fourteenth Amendment rights only to blacks. It also did not intend to limit the lawmaking authority of the states. Sensitivity toward the prerogatives of the states is found throughout the debates on the subject during the battle for ratification. Further, while there was some open question in the minds of a few proponents as to whether or not the Fourteenth Amendment in and of itself established new citizen rights, most proponents believed that it was limited to issues of equal rights. Thus, for most of those involved, the role of the amendment was

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to secure rights that were already found elsewhere in the Constitution. Congress did not intend the Fourteenth Amendment to establish its own rights; it wished the amendment to enforce the application of already existing rights. The amendment was an effort to steer a delicate balance between the rights of citizens and the rights of state governments. It was to insure that the rights that already existed were equally applied, with deference paid to the legislative judgments of the states.

This more limited view of the Fourteenth Amendment was reinforced by the Supreme Court, and many state and federal courts, as they struggled after ratification to define the amendment. For the first forty years, judicial construction largely remained faithful to interpretation. In *Lochner v. New York* (1905), however, the Supreme Court strongly implied that Fourteenth Amendment rights included not just limitations on arbitrary and unequal actions by the states, but also gave courts authority to develop new federal rights and to immunize these rights from legislative action. The Fourteenth Amendment from that time forward took on a life far beyond that contemplated during the process of its adoption. It became the source of these newly developed constitutional rights that have given the Fourteenth Amendment its special prominence. Nelson's scholarship shows us that the departure was not so abrupt as to be totally unfaithful to the process of constitutional development. At the same time it is clear that what the Fourteenth Amendment has become could hardly have been contemplated by the drafters.

Nelson has written a thoughtful and interesting book that improves our understanding of how the Fourteenth Amendment was able to be read so expansively. The work has rigor, speaks with authority, and requires careful reading. This is a fine book that adds enormously to our constitutional history.

FRANK J. MACCHIAROLA
Columbia University

Blacks and Social Change: Impact of the Civil Rights Movement in Southern Communities *by James W. Button. Princeton, N.J., Princeton University Press, 1989. 326 pp. $29.95.*

Scholarly interest in the peculiar brand of regional politics and race relations practiced by white southerners has generated some of the most perceptive works by historians and political scientists. The tradition of southern politics watching began with V. O. Key, Jr., Everett Ladd, Donald Matthews, and James W. Prothro. It has been continued by new writers such as Doug McAdam, Hanes Walton, William Keech, and James W. Button. These scholars have mined a rich tradition of race relations politics.

The role of the black civil rights movement in the emergence of the New South may be one of the most fascinating stories of this century. The critical question is: what is the difference between the Old South and the New South? Jim Crow

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laws have been declared unconstitutional, color signs have been removed, blacks and whites go to school together, blacks have been elected to public office; but do these changes reflect any real transformation in the psychological makeup of white southerners? More importantly, are whites willing to share political power with their black counterparts? Answers to these questions will tell us whether we are indeed in the era of the New South. Displacing race as the arbiter of southern politics has not been easy. Old attitudes die hard, but die they must if the New South has any chance of life. The depth of this social transformation can be most effectively studied in small southern cities where the races have lived close together for generations.

James Button's book represents one of the most comprehensive and skillfully executed studies of small city politics in the South in this decade. Using case studies of three old South cities (Crestview, Lake City, and Gretna) and three New South cities (Titusville, Daytona, and Riviera Beach) he has conducted extensive interviews of community activists, politicians, and businesspersons. Each one of these communities has its own racial history, economic base, and civic ethos.

Button's review of thirty years of black progress and participation in these six Florida cities allows the reader to appreciate the complexity of group mobilization and attitudinal change. His report card on the politics of race relations yielded mixed results. Blacks have made some progress, but not so much that they can claim skin color is irrelevant to their life chances. Conversely, whites have made some concessions, but not enough to create conditions for racial parity.

Protest by black activists was a necessary but not sufficient condition for social change. Using resource mobilization theory, Button argues that outgroups (blacks) must rely on protest to achieve political objectives. According to this theory, resources such as leadership, money, and publicity create the conditions for social movements. Although discontent is ever present in the black community, the resources for a protest movement are only episodically available. Moreover, indigenous blacks cannot overcome entrenched racial barriers without the assistance of federal antidiscrimination laws and progressive whites. Accordingly, protest is just one of the factors in the upgrading of the quality of life for a city's powerless and disadvantaged black residents.

In summary, this book is a major addition to the literature on southern politics. Not only is the book methodologically sound and interesting, it also provides insights into the nuances of the sociology of southern life. The addition of commentaries from political actors, both blacks and whites, adds zest to this lively presentation.

WILBUR C. RICH
Wayne State University

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The Presidential Veto: Touchstone of the American Presidency *by Robert J. Spitzer. Albany, N.Y., State University of New York Press, 1988. 181 pp. Cloth, $34.50; paper, $10.95.*

Despite Woodrow Wilson's characterization of the veto power as the president's "most formidable prerogative," there has been only one previous book published on the subject in this century—Carlton Jackson's 1967 study chronicling vetoes cast by Presidents George Washington through Franklin Roosevelt. This study is more analytical than Jackson's and also covers a number of additional topics important to an understanding of the president's veto power.

In the first chapter Spitzer traces the antecedents of the veto, beginning with that available to executives in ancient Rome, the British monarch, colonial governors, and some early state governors. The chapter also analyzes the issues raised and the decisions made concerning the veto at the Constitutional Convention. Spitzer concludes that for the Founders, "the veto was not viewed as simply a checking or blocking device," but also as a "revisionary power" that allows "the president to play an active role in improving legislation" (p. 23).

The second chapter analyzes the evolution of the presidential veto, beginning with its limited use by early chief executives who utilized it primarily to strike down legislation on constitutional grounds, and its transformation by Andrew Jackson, who vetoed more legislation than all his predecessors combined and who, according to Spitzer, took the position "that the president need only rely on his political judgment in making a veto decision" (p. 34). After examining the use of the veto by subsequent presidents, the author concludes that as developed, it allows the president to make a direct appeal to the public and to influence the congressional agenda, without concern that he use it only for constitutional reasons (pp. 69–70).

The third chapter, "The Modern Veto," covers a variety of topics, none of them in much depth, and for the most part draws on information provided by other authors. However, it does contain two valuable sections. The first focuses on President Ronald Reagan's use of the veto and includes case studies on the Saudi arms deal and South African sanctions—incidents that the author concludes were poorly handled by the administration. The other is an analysis of the threat of the veto as reported in *The New York Times Index*, beginning with the administration of John Kennedy. Spitzer finds that publicly-expressed veto threats have increased over the years and that the largest number of them involved appropriation and spending bills.

The last two chapters of the book treat special facets of the veto power, namely, the pocket veto and the item veto (not presently available to the president). The former examines court cases in which presidents have attempted to use pocket vetoes during congressional recesses or in adjournments within or between sessions. It appears that if Congress designates agents to receive veto messages during these periods, a pocket veto is improper; however, there has been no recent Supreme Court decision to settle the matter. The chapter on the item veto raises serious questions whether the item veto would result in a cut in spending, as its propo-

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nents claim. The author points out that the president could threaten to item veto favored projects of members of Congress as a means of lining up votes for his own programs, a tactic that could lead to increased rather than diminished spending.

In summary, this book represents the tradition established by Edward Corwin and more recently continued by Louis Fisher of illuminating public problems through the historical-legal method of analysis. It is less successful in using empirical data to help explain the conditions under which presidents veto legislation, the various influences on such decisions, and the effect the veto has on the making of public policy. Nevertheless, this well-written and well-organized book is a significant contribution to our understanding of the president's veto power.

RICHARD A. WATSON
University of Missouri-Columbia

Equity and Gender: The Comparable Worth Debate *by Ellen Frankel Paul. New Brunswick, N.J., Transaction Publishers, 1989. 143 pp. Cloth, $24.95; paper, $12.95.*

This is a straightforward, readable essay in four chapters. The first two are a balanced presentation of the cases made by proponents and opponents of comparable worth. There is no effort to muster independent evidence on either side of the debate, nor to judge the persuasiveness of the arguments; this is a well-organized report on the positions others have taken. Chapter three reviews a selected set of court cases in an honest fashion, though it lacks the texture of the controversies and dilemmas familiar to those acquainted with the details of those cases. That texture is lacking as well in the brief discussion of activity in state legislatures; there is little mention of the complex politics and diluted outcomes that have been reported in some states.

The *raison d'être* of the first three chapters, all of which have been done in more depth elsewhere, is chapter four: the case against comparable worth and in favor of free markets. What is wrong with comparable worth, according to Paul, is as follows: First, it rests on the false assumption that jobs have intrinsic worth that can be objectively measured and compared. "Despite Marx's abhorrence of this fact, labor power is as much a commodity as anything else. The price of any particular kind of labor is set by the same criteria as any other good. The market price equates supply and demand" (p. 112).

Second, it falsely assumes that comparable worth can be carried out as a correlation to a market that is otherwise left to function unimpaired. But because a self-correcting market will move wages to the (assumed) initial equilibrium level, the comparable worth wage structure can be maintained only if a permanent state board continues to set wages. As such, it is "a slippery slope toward central planning and a command economy" (p. 122).

Third, it rests on the assumption that discrimination is remediable. But authorities

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of the state assigned with determining job worth "via job evaluations, direct flashes of insight, or whatever methodology they chose" (p. 114), may themselves discriminate. And government discrimination is more invidious than that of employers because it is inescapable.

Fourth, it focuses on the past rather than looking forward to the promise of an economy that accepts women in any profession, and offers wages to new female labor market entrants equivalent to those offered their male counterparts. This promise Paul attributes to the flexibility of the market in responding to women's new career aspirations.

Paul chides comparable worth advocates for misunderstanding how the labor market works; yet her own convictions—that all workers are paid their marginal products and any discriminating employer will be driven out of the market—are couched in a faith in neoclassical theory at its simplest. She has granted a theory that is tremendously useful as a description of the broad dynamic that moves market economies the stature of a theory that can explain employer-level wage determination. There is an entire empirical literature to suggest that within the broad confines of market forces, substantial deviation from "marginal product" wage determination is tolerated for sustained periods of time. Indeed, one need only look at the details of numerous court cases to see that some employers can and do engage in wage discrimination. The Equal Employment Opportunity Commission (EEOC) under President Ronald Reagan—no den of radical feminism—presented a list to the Congress of cases that it had taken action on—cases where employers had intentionally drawn minor distinctions between similar "male" and "female" jobs and paid the latter a lower wage.

Several of Paul's objections to comparable worth are, I believe, indisputable. Job evaluation is inherently subjective. It can, therefore, provide the tool for institutionalizing discrimination. And the market may carry information regarding efficient wage rates that job evaluators would ignore. These represent a serious challenge to the comparable worth proposal.

What should government do given that labor markets transmit an enormous amount of valuable information on efficient wages and also that some employers discriminate? This is a tough question. It requires rolling up the pant legs and wallowing in the mud. Paul might have taken us in up to our knees and then concluded that, all things considered, the dangers of the comparable worth strategy outweigh the benefits; we need another strategy or we need to accept discrimination as a cost of preserving a market that is in other respects valuable. Reasonable people might (and some undoubtedly would) then disagree. But they would be engaged in the same discussion. Instead, Paul stays clean in a neoclassical world where markets assure fair outcomes; and efforts to challenge wage differentials between female- and male-dominated jobs lead to a centrally planned economy. Her book will convert the converted, but will not speak to those who see a vastly more complicated world.

SUZANNE DONOVAN
Columbia University

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The Decline and Fall of the Liberal Republicans from 1952 to the Present *by Nicol C. Rae. New York, Oxford University Press, 1989. 273 pp. $29.95.*

Nicol Rae traces what he believes to be a neglected aspect of American politics—the decline of liberal Republicanism as a political force. The assumption is that the liberal Republicans were the closest thing to "a political and social 'establishment' in the European sense" (p. vii). Their decline reflects the change from a traditionally nonideological, localized, and pluralistic party system to one significantly more issue-oriented, media-dependent, and strident (my term). The implicit argument is that the reduced role of eastern Republicanism, the core of the party's more moderate traditionalism ("liberalism" does not seem quite appropriate), is unfortunate, minimizing a force for civility, foresight, and coalitional and cross-party compromise.

The author sees little hope for a resurgence in presidential politics of eastern Republicanism, its values, or its electoral successes. This conclusion is based on his assessment of their recent efforts in nomination politics, his observations of the ineffectualness of such groups as the Ripon Society, and his reading of the changes evident in electoral constituencies and the conditions necessary to achieve political success. He sees a place for progressive Republicanism in congressional and local races, ". . . although in presidential politics its time has definitely passed" (p. 214).

The book was completed before the last campaign. The election of George Bush would suggest that nothing is as permanent as it may seem. In at least this instance a man who comes from an eastern establishment background and embodies much of what characterized the Republican elite of another era now holds the nation's highest office. Electoral success may be more determined in the packaging and presentation of candidates and the peculiarities of a given election or electoral era than in permanent changes in constituency attitudes and structure. As the author elaborates, moderate Republicanism has done significantly better in the Congress—and by extension in the presentation of Congresspeople to the judgment of local voters—than it has in presidential races.

This book is an extension of a Ph.D. dissertation completed at Oxford University. It incorporates textual materials, personal interviews, official transcripts, and previous studies in developing its theme. The book is divided into an introduction and six chapters, covering such topics as the evolution of Republicanism to 1960, the impact of the Barry Goldwater campaign, national Republican politics in the period 1964–1976, the recasting of the party system during the years 1968–1980, and the Republican Party in Congress between 1932 and 1984. It concludes with speculations as to what the future might hold.

The point of view is of interest, and the scrutiny given Republican administrations and candidates within the context of party developments is helpful. More attention in a differently conceptualized study might be accorded both parties' electoral bases and the technological changes that condition both perception and reality in electoral campaigns. The mass voter surveys on attitudes and coalitional

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attributes fell outside the main concerns of the book, as did the majority of mirror-image developments taking place within the competing party. For those concerned with the fate of the moderate wing of the Republican Party and, less clear, its implications for the conduct of politics in this country, this book would be a good place to begin.

WILLIAM CROTTY
Northwestern University

Besieged Bedfellows: Israel and Land of Apartheid *by Benjamin M. Joseph. Westport, Conn., Greenwood Press, 1988. 174 pp. $35.00.*

The title of a book in many instances sums up the author's thesis. In a few cases it bespeaks his prejudices. In the present case it does both. Israel is condemned for its alleged ties with South Africa, "the land of apartheid," and for allegedly functioning as "a land of apartheid" itself. The dual purpose that the author has set for himself produces confusion. One is never sure of the strand in Israeli conduct that is being challenged—its foreign ties or its domestic policies. The only safe thing is to recognize that the author is intent on lambasting Israel for what it is, no less than for what it does. Given this approach, it must be said that the author is not lacking in a sardonic sense of humor in stating that his book is "matter-of-fact, without preaching or passing judgment on the wisdom and morality of the policies in question" (p. ix)!

Needless to say, a basic premise underlying this slim volume is that an ethnic state has no claim to existence. Basing himself on the experience of Anglo-Saxon states such as Great Britain and the United States, he finds it objectionable that a state might have a *raison d'être* that derives from ethnic, religious, or racial considerations. But, of course, reality dictates otherwise. Given the strength of recent ethnic claims in numerous corners of the world, in Europe no less than in Asia and Africa, we are likely to see more, rather than fewer, states created to satisfy a certain ethnic demand.

In the case of Israel, of course, the international community, both in the period of the League of Nations and the United Nations, decided that the Jewish problem could best be resolved by the restoration of the Jewish people to their ancestral home. In 1948 the Jewish community in Eretz Israel gave expression to the claim of nationhood within a given territory and proclaimed the state of Israel. Ever since its creation the state has been under seige by Arab governments and terrorist governments bent on its destruction. This background helps to place in perspective many of the alleged indiscretions that Israel has accepted in its connections with South Africa as with other states. It is to be regretted that the author has not taken sufficient account of the aforementioned background, which goes far to explain both Israel's domestic and external policies.

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In seeking to charge Israel with racism, the author is compelled to acknowledge two outstanding difficulties with his thesis. The first is that Israeli Arabs enjoy full political equality with Israeli Jews. They can vote and be elected with full equality both on the local and national levels. They are free to set up their own political parties and are, in fact, proportionately represented in the *Knesset*, Israel's parliament. Their political activity is fully free, and they enjoy freedom of speech and of the press to campaign for votes and popular support. Regardless of the fact that in some cases there is manifest hostility to the Jewish state, they are given free rein to engage in political activity. Perhaps the supreme irony of this situation lies in the fact that the only Arabs in the entire Middle East to enjoy unqualified democracy are the Arab citizens of Israel. With the Middle East, composed of Israel and twenty-two Arab states, this is not only a highly ironic situation, but also says something about the nature of the conflict situation in which Israel has found itself for the past forty years.

The second difficulty with racial charges arises from Israel's record in repatriating over 5000 black Ethiopian Jews. Israel not only organized the airlift that brought the Ethiopians to Israel, but it has done marvels in integrating the new immigrants into the country. To educate and elevate a community still living in conditions more amenable to those of the Middle Ages and enable them to enter upon a civilization of the twentieth century has been no mean task.

The author's approach to the problems of southern Africa are themselves simplistic and slogan-ridden, rather than thoughtful and perceptive. So it is little wonder that his attempt to analogize and extrapolate in relation to the problems of the Middle East falls far from the mark.

SHLOMO SLONIM
Hebrew University of Jerusalem

Out from Underdevelopment: Prospects for the Third World *by James H. Mittelman. New York, St. Martin's Press, 1988. 204 pp. Cloth, $35.00; paper, $12.95.*

In recent years we have witnessed an expansion of the non-western curriculum on many university campuses in the United States. With *Out from Underdevelopment* James Mittelman addresses the corresponding need for introductory texts that analyze contemporary political issues in the Third World from an informative conceptual perspective.

This engaging book possesses several particularly attractive features. They include the author's cautions against ethnocentrism and intellectual arrogance, his introductory treatment of the debt-service burden, the forceful critiques of modernization theory and the export-oriented development model, the emphasis placed upon local capacity building and the self-serving role of the bureaucratic ruling class, and the volume's balanced regional treatment. Mittelman utilizes three focal

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case studies (Brazil, China under Mao Zedong, and Mozambique) to illustrate prospects for breaking out from underdevelopment by joining, withdrawing from, and "weaving through" global capitalism.

Unfortunately, the author's characterization of the Third World is weakened by numerous exceptions and by failure to cite the historical connection with the non-aligned movement. Moreover, Mittelman's overdrawn critique of dependency theory never demonstrates that the principal failings that he attributes to that approach (lack of specific historical and class-struggle references, failure to treat interlocking national and global class relations, and neglect of how to eliminate dependency) cannot be rectified. Indeed, the book ultimately comes across as an attempt to extend rather than to refute dependency theory. The most debatable aspect of that effort is the author's contention that a viable alternate strategy exists for overcoming underdevelopment by balancing ties of dependency and exploiting contradictions in the global capitalist system. First, the specific *process* dynamics that can be captured and employed to introduce redistributive change are not identified. In addition, the Mozambique references meant to reveal the promise of this alternate path are unimpressive on virtually every count. Mittelman provides no convincing evidence that the FRELIMO government is likely to "manage the ties of dependency" successfully in the future. In the end, the reader is left unpersuaded by the argument that "weaving through" the system offers poor countries a preferable and viable alternative to delinking, enhanced self-reliance, and increased South-South economic and political interaction.

The search for an alternative to delinking leads Mittelman to embrace phased-in structural adjustment policies and continued reliance upon external credit, as long as interest rates are "less than the value created for accumulation" (p. 183). How governments are to know the "value created for accumulation" in advance of accepting a new loan is not made clear. Likewise, the author never provides details regarding the "novel ways" that can be devised to improve living conditions for the world's poor (p. 186). Most fundamentally, *Out from Underdevelopment* fails to show how the global capitalist system can be transformed as long as the prevailing power structure remains unchanged. The Tanzanian experience suggests that "an alliance with broad support for a fundamental transformation of the political economy . . . [in control of] state power" is not sufficient to change multinational corporations, banks, and the foreign donor community from institutions that perpetuate underdevelopment into forces devoted to "contributing to a country's accumulation fund" (p. 161). The overthrow of President Salvador Allende in Chile reminds us that these institutions also work to prevent the type of domestic alliance Mittelman sees as essential from holding power in vital Third World countries. Can the social relations that underpin structures of global inequality be overcome without fundamental political transformation in the so-called First World? The author avoids this crucial question.

In light of the author's focus on escaping underdevelopment, the Brazilian and Chinese cases are well-chosen and provocative. State capitalism in Brazil has

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achieved increased levels of capital formation at the cost of wider social inequality and diminished self-reliant capacity. Mittelman captures the current dilemma facing Brazil—servicing its foreign debt versus releasing funds for internal needs—without failing to point out that creditors are willing to give the two largest debtor countries (Brazil and Mexico) preferential repayment treatment. The book lacks an equally systematic analysis of the relative prosperity of Taiwan, South Korea, and Singapore, however. In particular, the implications and consequences of the Asian "authoritarian state-supported capitalist" model need further elaboration. Finally, Mittelman leaves several important questions about the Chinese self-reliant experiment from 1960–1976 unanswered. Did the measures introduced during this period help break bonds of underdevelopment? If the Cultural Revolution's campaign against bureaucratic privilege "backfired" (p. 126), what would work and how can a revolution be sustained?

In conclusion, *Out from Underdevelopment* offers a useful introductory teaching resource. While the political issues of vital concern in the Third World today are not always addressed directly by the author, they emerge from his provocative discussion.

PETER KOEHN
University of Montana

Scientific Management, Socialist Discipline, and Soviet Power *by Mark R. Beissinger. Cambridge, Mass., Harvard University Press, 1988. 363 pp. $30.00*

In this timely and comprehensive survey, Mark Beissinger reviews the history of Soviet efforts to rationalize industrial administration through a variety of techniques associated with scientific management. Emphasizing the cyclical quality of administrative reforms, he shows that periods of enthusiasm for streamlined structures and advanced technology alternate with phases of discipline and coercion. These blossomed into mass terror under Stalin, but faint, comparatively toothless echoes of similar campaigns recurred under Brezhnev, Chernenko, Andropov, and Gorbachev.

The repetitive nature of the search for breakthrough solutions to the problems of overcentralization, fragmentation of responsibility, irrational incentive structures, and similar pathologies leads Beissinger to argue, like many before him, that the problems are themselves the products of the effort to replace the coordination of production management through markets with a comprehensive system of state planning and administration. He asserts that large-scale bureaucratic organization contains intrinsically irrational elements because of the need to enforce hierarchical discipline at the expense of behavior patterns that are functional for the organization and its environment. His survey ends with a brief mention of the Law on the State Enterprise adopted in the summer of 1987, which Beis-

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singer notes is a disparate combination of market-oriented and administrative elements. In 1988 and 1989 virtually all Soviet observers, including Gorbachev, frankly called the law a failure.

Beissinger's sweeping conclusions, therefore, which most western observers ten years ago might have regarded as doctrinaire, today represent a consensus view among most of the reformers close to the Gorbachev leadership. Markets and the political pluralism they support can simply no longer be avoided through various technological or administrative panaceas: government control over the vast empire of bureaucratic agencies that run the economy produces so many counterproductive and irrational effects that there is no solution within the administrative system itself. The question for Soviet party and government leaders now is not whether there should be room for a market mechanism governing state industry, but how much and of what kind and how it is to be introduced without the socially explosive side-effects of inflation, inequality, corruption, and unemployment.

Beissinger's historical overview is sound and interesting, although the focus is somewhat inconsistent. For the early Soviet period the book concentrates on the campaign to implement Taylorist methods into production, whereas for the Brezhnev period the discussion concerns higher-level administrative structures almost exclusively. But if the choice of topics illuminated is rather eclectic, the central argument is pursued systematically and persuasively.

Although Beissinger's construct of cycles of administrative pathology and reform is surely valid, one might nevertheless point out that he probably neglects several other factors that impinge on the leadership's choice of strategies. One is the secular change in the structure and composition of the Soviet population with time, a point that social historians and sociologically-minded political scientists frequently emphasize in their accounts of the reasons a radical reformer such as Gorbachev could rise to power. The more optimistic western social scientists argue that the expansion of the educated classes, the still modest but considerably higher standard of living of the population compared with the Stalin and early post-Stalin eras, the impact of several decades of relative internal and external peace, and the effects of interaction with the western world have generated demands and aspirations that require a significant change in regime-supported values. That these and other developments have affected the political culture can no longer be doubted; the question is solely of the magnitude of their impact. Partly through their long wanderings through the intellectual wilderness of the Brezhnev years, and partly under the favorable conditions of Gorbachev's policies, a group of reformist, market-oriented, democratically-inclined intellectuals has established itself in a number of major research institutes and educational establishments.

A second element not taken into account by Beissinger is learning. To what degree and among what groups has experience with Soviet socialism created a basis for a common understanding of the need to escape the "treadmill of reform" within the administrative system? In some parts of the country, notably the Baltic republics,

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the revival of family farming, the welcoming of foreign investment, the drive for republican economic independence, and the demand for a separate and convertible currency probably reflect less the impact of learning over the forty-five years of Soviet rule than the culturally-retained memory of practices prevalent before World War II and the proximity of Finland and other capitalist countries as a point of reference. Elsewhere, the drive for market-oriented reform has been the product of intense reflection and discussion of the failure of earlier efforts at decentralizing reforms.

It may be, then, that Beissinger's portrait of a system trapped in a continuous loop of administrative shake-ups and irrational outcomes is a bit too despairing. Both modernization and learning may bring about secular changes in Soviet elite and popular attitudes about what is essential to socialism. Perhaps in the long run the convergence model will be proven more accurate than the vicious circle model.

THOMAS F. REMINGTON
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Index to Volume 104

Articles

ADAMS, CHARLES F.	See Nathan, Richard P.	
ART, ROBERT J.	The Pentagon: The Case for Biennial Budgeting	193
CARALEY, DEMETRIOS	Elections and Dilemmas of American Democratic Governance: Reflections	19
COOPER, JOSEPH	See West, William F.	
DUERST-LAHTI, GEORGIA	The Government's Role in Building the Women's Movement	249
FINKELSTEIN, LAWRENCE S.	What War in Europe? The Implications of Legitimate Stability	433
FRIEDBERG, AARON L.	The Strategic Implications of Relative Economic Decline	401
GREENSTEIN, FRED I.	The Dynamics of Presidential Reality Testing: Evidence from Two Vietnam Decisions	557
HENIG, JEFFREY R.	Privatization in the United States: Theory and Practice	649
IKENBERRY, G. JOHN	Rethinking the Origins of American Hegemony	375
KADES, CHARLES L.	The American Role in Revising Japan's Imperial Constitution	215
KIRCHHEIMER, DONNA WILSON	Sheltering the Homeless in New York City: Expansion in an Era of Government Contraction	607
KYVIG, DAVID E.	The Road Not Taken: FDR, the Supreme Court, and Constitutional Amendment	463
LADD, EVERETT CARLL	The 1988 Elections: Continuation of the Post-New Deal System	1
LIPSKY, MICHAEL	Nonprofit Organizations, Government, and The Welfare State	625
MASON, DAVID S.	Solidarity as a New Social Movement	41
McKAY, DAVID	Presidential Strategy and the Veto Power: A Reappraisal	447
MOTYL, ALEXANDER J.	Reassessing the Soviet Crisis: Big Problems, Muddling Through, Business as Usual	269
NATHAN, RICHARD P.	Four Perspectives on Urban Hardship	483
ROSE, RICHARD	How Exceptional Is the American Political Economy?	91

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ELECTRONIC REPRODUCTION PROHIBITED

SALITAN, LAURIE P.	Domestic Pressures and the Politics of Exit: Trends in Soviet Emigration Policy	671
SHAPIRO, ROBERT Y.	Public Opinion and the Welfare State: The United States in Comparative Perspective	59
SMITH, STEVEN RATHGEB	See Lipsky, Michael	
STONE, DEBORAH A.	Causal Stories and the Formation of Policy Agendas	281
TOW, WILLIAM T.	The ANZUS Dispute: Testing U.S. Extended Deterrence in Alliance Politics	117
TRACHTENBERG, MARC	Strategic Thought in America, 1952–1966	301
WALKER, LARRY	Woodrow Wilson, Progressive Reform, and Public Administration	509
WEST, WILLIAM F.	Legislative Influence v. Presidential Dominance: Competing Models of Bureaucratic Control	581
YOUNG, JOHN T.	See Shapiro, Robert Y.	

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ELECTRONIC REPRODUCTION PROHIBITED

Books Reviewed

Abir, Saudi Arabia in the Oil Era: Regime and Elites; Conflict and Collaboration — Jill Crystal 186

Abramson, Arterton, and **Orren,** The Electronic Commonwealth: The Impact of New Media Technologies on Democratic Politics — Michael X. Delli Carpini 348

Andrain, Political Change in the Third World — Lisa Anderson 183

Bach and **Smith,** Managing Uncertainty in the House of Representatives: Adaptation and Innovation in Special Rules — Walter J. Oleszek 346

Bailey, The Republican Party in the US Senate 1974–1984: Party Change and Institutional Development — Robert L. Peabody 345

Barilleaux, the Post-modern Presidency: The Office After Ronald Reagan — Gary Bryner 339

Bartels, Presidential Primaries and the Dynamics of Public Choice — Gerald M. Pomper 170

Beissinger, Scientific Management, Socialist Discipline, and Soviet Power — Thomas F. Remington 732

Beres, America Outside the World: The Collapse of U.S. Foreign Policy — Robert L. Beisner 364

Berkowitz and **Goodman,** Strategic Intelligence for American National Security — Ray S. Cline 695

Berman, Lyndon Johnson's War — James J. Best 692

Birnbaum, *States and Collective Action: The European Experience* — Jeremiah M. Riemer 367

Brademas, The Politics of Education: Conflict and Consensus on Capitol Hill — Jerome T. Murphy 361

Braeman, Before the Civil Rights Revolution: The Old Court and Individual Rights — John R. Schmidhauser 353

Brown, Migration and Politics: The Impact of Population Mobility on American Voting Behavior — Peverill Squire 167

Bundy, Danger and Survival: Choices about the Bomb in the First Fifty Years — Robert P. Beschel, Jr 335

Button, Blacks and Social Change: Impact of the Civil Rights Movement in Southern Communities — Wilbur C. Rich 723

Chapman, Inside the Philippine Revolution: People's Army and Its Struggle for Power — Gareth Porter 369

Cohen, The Politics of the U.S. Cabinet: Representation in the Executive Branch, 1789–1984 — Larry Berman 553

Conlan, New Federalism, Intergovernmental Reform from Nixon to Reagan — Richard P. Nathan 342

Cook, Bureaucratic Politics and Regulatory Reform: The EPA and Emissions Trading — Frank J. Macchiarola 354

Cooper, *Hard Judicial Choices: Federal District Court Judges and State and Local Officials* — Barbara A. Perry 349

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Cottingham and **Ellwood,** eds., Welfare Policy for the 1990s — SHEILA B. KAMERMAN — 712

Curtis, The Japanese Way of Politics — STEVEN R. REED — 366

Dawisha, Eastern Europe, Gorbachev and Reform: The Great Challenge — RICHARD DAVY — 370

deLeon, Advice and Consent: The Development of the Policy Sciences — QUENTIN L. QUADE — 546

DiScala, Renewing Italian Socialism: Nenni to Craxi — JOSEPH LAPALOMBARA — 533

Edwards and **Walker,** National Security and the U.S. Constitution: The Impact of the Political System — ROBERT J. ART — 350

Eisinger, The Rise of the Entrepreneurial State: State and Local Development Policy in the United States — PAUL E. PETERSON — 711

Eismeier and **Pollock,** Business, Money, and the Rise of Corporate PACs in American Elections — FRANK J. SORAUF — 340

Ellis and **Wildavsky,** Dilemmas of Presidential Leadership from Washington through Lincoln — ERWIN C. HARGROVE — 702

Feagin, Free Enterprise City: Houston in Political and Economic Perspective — BARBARA FERMAN — 549

Fenno, The Making of a Senator: Dan Quayle — STEVEN S. SMITH — 714

Ferguson, The Third World and Decision Making in the International Monetary Fund: The Quest for Full and Effective Participation — PETER B. KENEN — 155

Fitzgerald, When Government Goes Private: Successful Alternatives to Public Services — PAUL STARR — 357

Golan, The Soviet Union and National Liberation Movements in the Third World — JOHN P. HANNAH — 539

Hahn and **Kamieniecki,** Referendum Voting: Social Status and Policy Preferences — M. KENT JENNINGS — 179

Hargrove, Jimmy Carter as President: Leadership and the Politics of the Public Good — NELSON W. POLSBY — 536

Herrnson, Party Campaigning in the 1980s — FRANK J. SORAUF — 534

House, Jesse Jackson and the Politics of Charisma: The Rise and Fall of the PUSH/Excel Program — DIANNE M. PINDERHUGHES — 717

Jaster, The Defence of White Power: South African Foreign Policy under Pressure — CRAWFORD YOUNG — 698

Jones, The Trusteeship Presidency: Jimmy Carter and the United States Congress — GEORGE C. EDWARDS III — 706

Joseph, Besieged Bedfellows: Israel and the Land of Apartheid — SHLOMO SLONIM — 729

Kamerman and **Kahn,** eds., Privatization and the Welfare State — JEFFREY R. HENIG — 709

Karning and **McClain,** eds., Urban Minority Administrators: Politics, Policy, and Style — WILBUR C. RICH — 547

Khadduri, The Gulf War: The Origins and Implications of the Iran-Iraq Conflict — CHARLES KUPCHAN — 696

Kirkpatrick, Legitimacy and Force: State Papers and Current Perspectives, 2 vols. — TOM J. FARER — 720

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Kleppner, Continuity and Change in Electoral Politics — KRISTI ANDERSEN — 360

Knight, The KGB: Police and Politics in the Soviet Union — DONALD W. TREADGOLD — 541

Kuklick, The Good Ruler: From Herbert Hoover to Richard Nixon — ROBERT A. DIVINE — 161

Ladany, The Communist Party of China and Marxism, 1921–1985: A Self-Portrait — EDWARD FRIEDMAN — 371

Landis, Joseph McCarthy: The Politics of Chaos — JOYCE GELB — 362

Lauren, *Power and Prejudice: The Politics and Diplomacy of Racial Discrimination* — LEWIS A. COSER — 154

Libby, The Politics of Economic Power in Southern Africa — CRAWFORD YOUNG — 151

Lynn, Managing Public Policy — NORMAN UPHOFF — 359

Mandelbaum, The Fate of Nations: The Search for National Security in the Nineteenth and Twentieth Centuries — RICHARD FALK — 530

Marshall, Public Opinion and the Supreme Court — C. HERMAN PRITCHETT — 537

McDowell, Curbing the Courts: The Constitution and the Limits of Judicial Power — FRANK J. MACCHIAROLA — 173

McElvaine, Mario Cuomo: A Biography — LEONARD P. STAVISKY — 166

McNeil, War and Peace in Central America: Reality and Illusion — WALTER LAFEBER — 532

Menon and **Nelson,** eds., Limits to Soviet Power — PHILIP W. DYER — 693

Mezey, No Longer Disabled: The Federal Courts and the Politics of Social Security Disability — FRANCIS E. ROURKE — 175

Mittelman, Out from Underdevelopment: Prospects for the Third World — PETER KOEHN — 730

Muslih, The Origins of Palestinian Nationalism — DONALD MALCOLM REID — 182

Mutch, *Campaigns, Congress, and Courts: The Making of Federal Campaign Finance Law* — DAVID ADAMANY — 176

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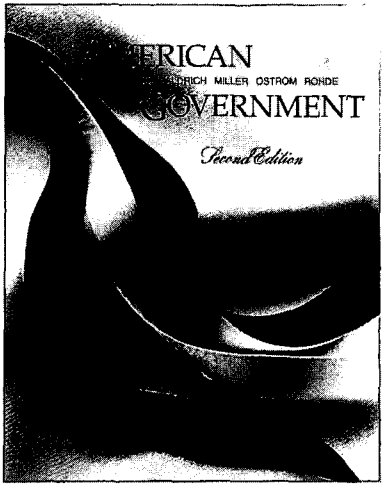

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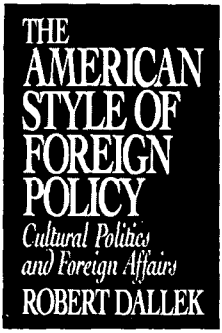

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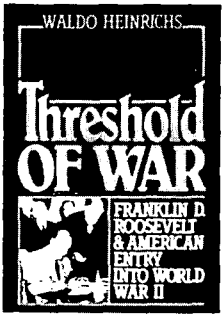

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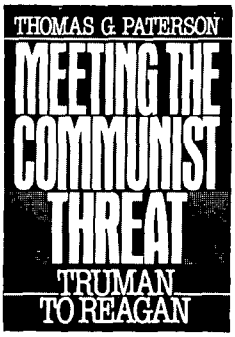

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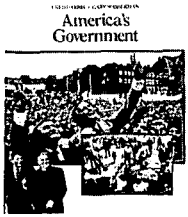

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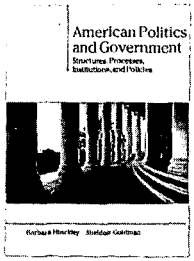

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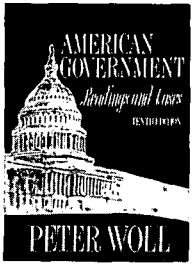

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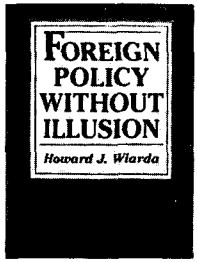

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